

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2007

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

NONDEPARTMENTAL WITNESSES

[The following testimonies were received by the Subcommittee on Commerce, Justice, Science, and Related Agencies for inclusion in the record. The submitted materials relate to the fiscal year 2007 budget request for programs within the subcommittee's jurisdiction.]

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF MARINE LABORATORIES

Mr. Chairman and members of the subcommittee, on behalf of the National Association of Marine Laboratories I am pleased to submit this statement in strong support of the President's American Competitiveness Initiative, as well as the research and education programs under the subcommittee's jurisdiction that are vitally important for a vibrant oceans, coastal, and Great Lakes research and education enterprise. My name is Tony Michaels and I am the director of the Wrigley Institute for Environmental Studies at the University of Southern California. I am submitting this statement as the President of National Association of Marine Laboratories (NAML).

NAML is a nonprofit organization of over 120 member institutions employing more than 10,000 scientists, engineers, and professionals and representing ocean, coastal and Great Lakes laboratories stretching from Maine to the Gulf of Mexico to the west coast, from Guam to Bermuda and from Alaska to Puerto Rico. NAML labs support the conduct of high quality ocean, coastal and Great Lakes research and education in the natural and social sciences and the effective use of that science for decision-making on the important issues that face our country. Through national and regional networks, NAML labs—

- Promote and support basic and applied research of the highest quality from the unique perspective of coastal laboratories;
- Assist local, regional and State entities with information related to the use and conservation of marine and coastal resources using ecosystem-based management approaches;
- Recognize, encourage and support the unique and significant role that coastal laboratories play in workforce development, enhancing science/ocean literacy, and in conducting education, outreach, and public service programs for K-12 audiences; and
- Facilitate the exchange of information and relevant expertise between NAML member institutions, government agencies, and the private sector.

AMERICAN COMPETITIVENESS INITIATIVE

NAML strongly supports the President's fiscal year 2007 American Competitiveness Initiative (ACI) for research and education along with the accompanying Presidential budget request which includes a doubling of the Federal commitment to basic research programs in the physical sciences over the next 10 years. NAML expressly supports the President's fiscal year 2007 request of \$6.02 billion for the NSF.

While not officially part of the President's ACI, NAML also urges the subcommittee to recognize and support the vital research programs of the National Oceanic and Atmospheric Administration (NOAA) and calls on the subcommittee to fund NOAA at a level of \$4.5 billion which would enable NOAA to carry out its multiple missions on behalf of the American people.

OCEAN, COASTAL AND GREAT LAKES RESEARCH

NAML strongly supports enhanced support for cutting edge ocean, coastal, and Great Lakes research in the natural and social sciences, education, outreach, and related infrastructure. The marine sciences have much to offer the Nation as it seeks to strengthen its ability to innovate and compete in today's global economy. They are inherently interdisciplinary, push the envelope in terms of technology development, test the boundaries of our data collection and analysis systems, and offer an effective training ground for future scientists and engineers. As the Nation seeks to augment its investment in the physical sciences to increase its international competitiveness, NAML calls on policy makers to recognize the integrated nature of the marine sciences and to support an enhanced investment in these as well as other science and engineering disciplines as part of any long term economic competitiveness policy.

NAML supports increased federal funding for the National Science Foundation (NSF) consistent with the President's budget for fiscal year 2007. Basic research and the transfer and use of the knowledge developed through research are vital for the long term economic competitiveness and national security of this Nation. It is increasingly important for the Nation to maintain—and enhance—its scientific edge in a global community with emerging new capacities for scientific research. NSF provides vital support for basic research and education which enhances public understanding of the Nation's oceans, coastal areas, and the Great Lakes. NSF also provides important support for basic laboratory facilities, instrumentation, support systems, computing and related cyberinfrastructure, and ship access. The final report of the U.S. Commission on Ocean Policy makes several recommendations on the need to develop and enhance ocean, coastal and Great Lakes research infrastructure. That infrastructure includes research vessels, ocean observing systems, and the shore-based instrumentation and equipment needed to collect and analyze the data and observations made by research vessels and the observing systems. For that reason, NAML strongly supports the NSF proposal to initiate support for the development of the Ocean Observatories Initiative in the fiscal year 2007 budget request. NAML also urges the Congress to provide \$5 million for the expansion of the NSF's Field Stations and Marine Laboratories program. This modest program provides researchers with access to state of the art instrumentation for research and education and necessary cyberinfrastructure and data management systems that complement the Ocean Observatories Initiative.

NOAA is one of the premier science agencies in the Federal Government, providing decision makers with important data, products and services that promote and enhance the Nation's economy, security, environment, and quality of life. It was NOAA—and its underlying science enterprise—that enabled the delivery of accurate and timely information regarding the impending landfall of Hurricane Katrina in 2005, a forecast that saved tens of thousands of lives.

The \$4.5 billion recommended for NOAA would fully fund the President's fiscal year 2007 budget request, restore funding for core programs, and address all the areas of concern and priority that have traditionally been supported by Congress. It would allow enhancements in the development of an integrated ocean and atmospheric observing system; increased research and education activities and expanded ocean conservation and management programs; and provide critical improvements in infrastructure (satellites, ships, high performance computers, facilities), and data management.

In August 2004, a congressionally requested study of NOAA's research programs, entitled, Review of the Organization and Management of Research in NOAA concluded that extramural research is critical to accomplishing NOAA's mission. The access to such enhanced research capacities provides NOAA with world class expertise not found in NOAA laboratories; connectivity with planning and conduct of global science; means to leverage external funding sources; facilitation of multi-institution cooperation; access to vast and unique research facilities; and access to graduate and undergraduate students. Academic scientists also benefit from working with NOAA, in part, by learning to make their research more directly relevant to management and policy. It is an important two-way interaction and exchange of information and value.

NAML strongly supports a robust NOAA extramural research activity and calls on the subcommittee to support the National Sea Grant program, the National Undersea Research program, the Ocean Exploration Initiative, as well as research related to aquaculture, invasive species, harmful algal blooms and the various joint and cooperative institutes at levels envisioned in last year's Senate version of the Commerce-Justice-State appropriations bill. These partnership programs are not only consistent with the findings of the August 2004 review of NOAA research, but are also consistent with the NOAA strategic plan and enable NOAA to carry out its mission at the State and local level.

OCEAN, COASTAL AND GREAT LAKES EDUCATION AND OUTREACH

A strong national ocean policy can only be sustained through the development of high-quality coastal, ocean, and Great Lakes education programs that support learning at all age levels and by all disciplines. Through such efforts, NAML can highlight the relevance and utility of coastal, ocean and Great Lakes resources and demonstrate and increase the value of incorporating science-based decisions in a public policy process designed to protect and enhance these resources. For that reason, NAML strongly supports the NSF Centers for Ocean Science Education Excellence program (COSEE), NSF education and human resources generally, and NOAA's Office of Education. Such programs provide a rich environment within which partnerships flourish. A greater understanding of the oceans and coastal ecosystems will instill a sense of stewardship for these important environments. These programs also yield a more diverse workforce that includes a significant participation by underrepresented groups. Preparing these cultural bridges would allow us to capitalize upon diverse national strengths, ensuring the flow of intellectual talent into ocean, coastal, and Great Lakes-related fields.

OCEAN COMMISSION AND INTERAGENCY RESPONSE

NAML strongly supports implementation of the recommendations from the U.S. Commission on Ocean Policy and the initial efforts of the administration's Interagency Committee on Ocean Policy to develop a response to the commission's recommendations. The commission's analysis of policies governing oceans, coasts, and Great Lakes has resulted in a collection of bold and broad-reaching recommendations for reform. Implementation of these recommendations by the Federal Government will enable the United States to maintain and strengthen its role as a world leader in protecting and sustaining the planet's oceans, coasts, and Great Lakes. NAML is particularly supportive of the commission's recommendation to re-align NOAA's functions to support ecosystem-based management approaches. In addition, we fully endorse the commission's recommendations to double the federal investment in ocean, coastal, and Great Lakes research as well as its recommendation to promote a strong federal investment in ocean, coastal, and Great Lakes education, outreach, and stewardship. The commission's recommendations are important first steps in addressing the Nation's ocean, coastal, and Great Lakes needs.

NAML is supportive of the initial steps taken by the administration in response to the commission's report—including the creation of Committee on Ocean Policy established in December 2004 by Executive Order. NAML is committed to working with the interagency Joint Subcommittee on Ocean Science and Technology and to commenting on the forthcoming Ocean Research Priorities Plan and Implementation Strategy.

INTEGRATED OCEAN, COASTAL AND GREAT LAKES OBSERVING SYSTEMS

Integrated observations offer critical information on coastal processes necessary for addressing issues, such as the health of humans and marine life, weather and climate nowcasts and forecasts, homeland security, and resource management. Coastal and marine laboratories have been addressing this need. However, funding for existing subsystems is difficult to sustain, and significant additional funding is required to implement the national integrated system. Although efforts have been made in the past to coordinate federal agencies involved in ocean and coastal research and national and international programs regarding coastal, ocean, and Great Lakes observing systems, further investment and strengthened cooperation at all levels is still needed to ensure that these systems are sustained and that they incorporate the long-term monitoring efforts of the Nation's coastal and marine laboratories. NAML enthusiastically supports the development of a sustained integrated ocean observing system to be managed by NOAA.

CONCLUSION

NAML recognizes the extraordinary fiscal constraints and difficult choices the subcommittee must make. Nevertheless, the research and education programs under the subcommittee's jurisdiction are vital investments in the future of this Nation and deserve the maximum support possible. Thank you for the opportunity to submit these recommendations.

PREPARED STATEMENT OF THE FEDERATION OF AMERICAN SOCIETIES FOR
EXPERIMENTAL BIOLOGY

The Federation of American Societies for Experimental Biology (FASEB) is a coalition of 22 independent scientific societies who together represent more than 84,000 biomedical research scientists. The mission of FASEB is to enhance the ability of biomedical and life scientists to improve, through their research, the health, well-being and productivity of all people. As your committee begins deliberations on appropriations for agencies under its jurisdiction, FASEB would like to offer its views on funding for the National Science Foundation (NSF). FASEB recommends an appropriation of \$6.4 billion for the National Science Foundation in fiscal year 2007. This appropriation should be the start of a long-term, steadily increasing national investment in the agency, which was the goal of the NSF Doubling Act of 2002.

For more than 50 years, NSF has served as our Nation's premier sponsor of fundamental research and science education. NSF invests in talent, ideas, and tools that cross all boundaries of scientific inquiry to produce new discoveries and technologies. These innovations save lives, enhance our economic productivity, protect our country, and increase our knowledge and understanding of the world.

As other countries make research and development (R&D) spending a top priority, U.S. investment in basic research achieves heightened importance for maintaining America's global competitiveness. According to the recent National Academies' report, *Rising Above The Gathering Storm: Energizing and Employing America For A Brighter Future*, the U.S. risks falling behind other nations in its number of highly trained scientists and engineers. In China, 57 percent of undergraduates receive their degrees in science and engineering, compared to just 33 percent in the United States.¹ A large fraction of the U.S. students lack the fundamental knowledge necessary to succeed in these fields. Less than one-third of U.S. 4th grade and 8th grade students performed at or above a level of "proficient" in mathematics; proficiency was considered the ability to exhibit competence with challenging subject matter.² In 2001, the Hart-Rudman Commission on American National Security—a bipartisan panel set up to address the national security challenges of the new century—stated, "second only to a weapon of mass destruction detonating in an American city, we can think of nothing more dangerous than a failure to manage properly science, technology, and education for the common good over the next quarter century."³

NSF receives less than 5 percent of the federal R&D budget but takes a leading role in promoting progress in science and technology. Each year, NSF awards grants to more than 200,000 scientists, teachers, and student researchers for cutting-edge projects in science, engineering, and mathematics at thousands of educational institutions across the country. NSF educational programs develop the talent needed to maintain our science and technology (S&T) leadership.

Through its core programs, NSF subsidizes the highest quality, fundamental research in all major S&T fields. This broad approach makes the agency unique among federal sponsors of research, enabling NSF to play a critical role in fostering interdisciplinary collaboration, stimulating the flow of ideas across scientific boundaries. The ability of scientists to share insights and perspectives across disciplines has produced impressive breakthroughs and solutions for perplexing problems. For example, NSF-funded research at the intersection of material science and medicine has developed a modified form of collagen that could be used to block the formation of scar tissue, control the growth of tiny blood vessels in tissues destined for transplant, and even lead to better infection-fighting bandages.

¹Data are from National Science Board. 2006 *Science and Engineering Indicators* (NSB 06-02). Arlington, VA: National Science Foundation, <http://www.nsf.gov/statistics/seind06/c2/c2s4.htm>. accessed March 8, 2006.

²National Center for Education Statistics, *Trends in International Mathematics and Science Study*, 2003. <http://nces.edu.gov/timss> accessed November 16, 2005.

³U.S. Commission on National Security for the 21st Century. *Recommendations of Hart-Rudman National Security Report: R&D*. FYI: The AIP Bulletin of Science Policy News. FYI # 22: February 28, 2001. www.aip.org/fyi/2001/022.html. accessed November 16, 2005.

Research funded by the National Science Foundation is providing knowledge and information on a host of America's most vexing problems. With breakthroughs in public safety and natural disaster mitigation, alternative energy sources, and medicine, NSF support is leading the way toward new discoveries that have significant economic and societal benefits. Recent advances by NSF-funded scientists include:

The recent natural disasters are a stark reminder that much is needed in the way of understanding how these unique phenomena happen and what can be done to anticipate and respond to such occurrences. Research funded by NSF is exploring ways to reduce the impacts of catastrophic events.

—*Epidemic containment.*—An NSF-supported computer network contributed to the containment of the SARS outbreak last year by connecting quarantined doctors in Taiwan to a world-wide network of medical researchers. This network has a potential application in the event of a pandemic flu outbreak.

—*New Orleans levee work.*—NSF-funded engineers discovered that the flooding of New Orleans following Hurricane Katrina was caused not by water flowing over the top of the levees, but was the result of faulty soil composition supporting the levee walls.

—*Hurricane and fire forecasting.*—Computer models, created via NSF funding, have been used to predict the path and intensity of both hurricanes and fires, providing valuable information to reduce the loss of lives and property.

—*Unmanned aircraft search and rescue.*—Unmanned aircraft, developed through NSF support, were used to search for survivors immediately following Hurricane Katrina.

As our population grows and our dependence on oil and natural gas increases, research into alternative fuels will help conserve energy, reduce the need for petroleum, and provide environmentally sustainable solutions to our energy needs. NSF research is working towards making alternative fuel technology a reality.

—*Ocean-powered buoys.*—NSF has supported development of electromagnetic buoys that efficiently collect the power of ocean waves.

—*Extended-life batteries.*—Researchers have developed a porous silicone chip that can be used in low-energy batteries to power remote sensors for decades.

—*Hydrogen leak sensor.*—With the current emphasis on hydrogen fuel cells as an energy source, these miniature sensors will be crucial to prevent leaks of this combustible gas.

NSF is ideally positioned to sponsor new research efforts that combine the best researchers from biology, chemistry, computer science, economics, engineering, environmental sciences, geology, mathematics, and physics to help alleviate human suffering and increase the health of all Americans.

—*New antibiotics.*—By investigating exotic plant species in Central America, investigators have identified what could be the next generation of antibiotics, helping to slow the growing presence of antibiotic-resistant infections.

—*Heart valve testing.*—As a way to test the effectiveness of replacement heart valves, researchers supported by NSF have determined that curdled milk best mimics the characteristics of blood as it passes through the valve.

—*Freeze-tolerant tissue.*—NSF awards are being used to explore the unique properties of animals such as frogs and fish, which survive freezing temperatures, in an effort to preserve tissues for transplantation over extended periods of time.

Nanotechnology is an innovation in which objects are designed and built at the level of individual atoms or molecules. This new field is revolutionizing everything from computers to health care and NSF is leading the charge.

—*Nanopowders.*—Chemically manufactured nanopowders have been designed to absorb toxic chemicals, including nerve gas and acid spills, with rapid action to prevent hazardous situations.

—*Bio-Nanotube.*—Small chemical sensors have the potential to rapidly monitor the bodily functions of patients, such as blood sugar levels in diabetics or hormone levels after drug treatment, without invasive procedures. They can also be used to deliver drugs or genes to specific cellular targets.

—*Nanowires.*—Miniature-scale wires are able to traverse the blood vessels of the brain to monitor and stimulate specific brain regions, with potential use in Parkinson's and trauma patients.

One of the most important roles that NSF plays in support of the Nation's S&T infrastructure is its major contribution to science education. NSF helps create the next generation of scientists and engineers through its active support of primary and secondary school science curriculum development and graduate and postdoctoral student training in all scientific disciplines. NSF funding is necessary to ensure an adequately prepared workforce for addressing the challenges of the

21st century. Through NSF, our Nation supports each stage in the science education pipeline to encourage and retain the best and brightest talents in S&T.

—*Science mentoring for young women.*—Researchers have determined that pairing high school girls interested in science with elementary school girls encourages both groups to pursue a science education.

—*Engaging young scientists.*—Through NSF-funded training grants in science and math, researchers in North Carolina have developed new activity-based curriculums to encourage young students to pursue science and math careers.

NSF supports nearly 50 percent of the non-medical basic research at U.S. colleges and universities. It funds research in new frontiers of scientific inquiry and contributes to creating a highly skilled, competitive science and engineering workforce. In addition, NSF programs have been cited by the Office of Management and Budget and the Government Accountability Office for their creativity, efficiency and innovativeness. Despite this record of accomplishment, NSF funding has lagged, resulting in a steady reduction in the percentage of quality applications that receive funding, a failure to increase the size of NSF awards to support the increased costs of research, and the loss of training support for the next generation of scientists and engineers. Congress recognized this agency's critical importance when it authorized the doubling of the NSF's budget by 2007.⁴ To date, however, Congress and the administration have failed to fulfill the vision of this legislation.

If we are going to continue leading the world in innovation and prepare for the future, NSF is crucial to this goal. As NSF Director Dr. Arden Bement, Jr., has said, "America's sustained economic prosperity is based on technological innovation made possible, in large part, by fundamental science and engineering research. Innovation and technology are the engines of the American economy, and advances in science and engineering provide the fuel."⁵ Without a greater commitment to NSF, our country faces the grave possibility of losing its global dominance in science and technology.

President Bush recognized the importance of research funded by the National Science Foundation when he unveiled his American Competitiveness Initiative last month. The President has said "Groundbreaking ideas generated by innovative minds have paid enormous dividends—improving the lives and livelihoods of generations of Americans. With more research in both the public and private sectors, we will improve our quality of life—and ensure that America will lead the world in opportunity and innovation for decades to come." We urge you appropriate \$6.4 billion for the National Science Foundation in fiscal year 2007.

PREPARED STATEMENT OF THE SEA GRANT ASSOCIATION

SEA GRANT FISCAL YEAR 2007 APPROPRIATIONS REQUEST

Mr. Chairman and members of the subcommittee. I am Jonathan Kramer, President of the Sea Grant Association and Director of the Maryland Sea Grant program. The Sea Grant Association (SGA) is a non-profit organization dedicated to furthering the Sea Grant program concept. The SGA's regular members are the academic institutions that participate in the National Sea Grant College program. SGA provides the mechanism for these institutions to coordinate their activities, to set program priorities at both the regional and national level, and to provide a unified voice for these institutions on issues of importance to the oceans and coasts. The SGA advocates for greater understanding, use, and conservation of marine, coastal and Great Lakes resources.

The SGA joins with many other NOAA stakeholders to urge the subcommittee to recognize and support the vital research and outreach programs of the National Oceanic and Atmospheric Administration (NOAA). SGA requests the subcommittee to fund NOAA at a level of \$4.5 billion in fiscal year 2007 which would enable the agency to carry out its mission: To understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs.

As part of the overall fiscal year 2007 NOAA appropriation, the SGA requests the subcommittee to appropriate \$72 million for the National Sea Grant College program. This amount is well within the \$100.5 million level authorized in Public Law 107–299, National Sea Grant College Program Act Amendments of 2002 for fiscal

⁴National Science Foundation Act of 2002. P.L. No. 107–368. December 19, 2002.

⁵Dr. Arden Bement Jr. Testimony before the United States Senate Appropriations Subcommittee on VA–HUD and Independent Agencies. February 17, 2005, available online at: <http://appropriations.senate.gov/hearings/record.cfm?id=232167>, accessed on November 1, 2005.

year 2007. Further, this recommended amount is the same as the amount provided in last year's Senate passed Commerce-Justice-State appropriations bill. Appropriating this request would reverse the significant reduction taken by the program in fiscal year 2006 and more importantly, would allow the Sea Grant program to provide the research support, information, education, and outreach needed to assist NOAA in carrying out its mission throughout the United States.

SEA GRANT—SCIENCE SERVING THE NATION'S COASTS

Sea Grant is an investment in America's economic future. Attempts to balance our booming coastal economy with its associated impacts on the coastal and marine environment have raised the stakes for effective government action. America's coastal and ocean resources encompass an immense area with more than 95,000 miles of coastline and more than 3.4 million square miles of ocean within the U.S. territorial sea. Over half the Nation's 280 million people live in coastal counties that comprise less than one-fifth of the total land area of the United States. The economy of these coastal counties is critical to the economic well being of the entire Nation, providing a wide array of goods and services that account for at least 50 percent of the gross national product of the United States. By 2010, U.S. foreign trade in goods is expected to double to \$5 trillion, with ocean-going cargo increasing by 30 percent. Coastal tourism and recreation account for 85 percent of all U.S. tourism revenues. The oceans, in one way or another, account for one out of every six jobs. Tax revenues in coastal areas are among the fastest growing revenue sources for State and local governments. In fact, the collective economic impact of the coastal economy far exceeds U.S. agriculture, and yet federal investments in Sea Grant colleges and universities are much smaller than investments in the Land Grant college and university system funded by the U.S. Department of Agriculture for agriculture and land-based natural resource activities, the program on which Sea Grant was modeled.

Research supported by Sea Grant is based on competition, undergoes rigorous peer-review, and is geared to address the many marine and coastal challenges and opportunities that face our citizens. The federal investment in Sea Grant enables a nationally coordinated network embedded in the best research universities to apply unparalleled intellectual capital to address these problems and opportunities. Cost-effectiveness is enhanced by access to university management infrastructure.

Sea Grant serves the Nation in many ways. Sea Grant's unmatched access to local constituencies through its extension and outreach programs ensures that federal investment is targeted at relevant issues for the benefit of NOAA and other Federal agencies, State and local governments, coastal environmental managers, local fishermen, other marine resource users, and the general public. This contact also provides an important conduit for recommendations back to Sea Grant and NOAA for needed research and improved policies and services. Sea Grant's non-regulatory and science-based focus has established the program as an honest broker among a wide range of constituencies. In addition, marine education programs supported by federal funds reach from kindergarten to marine-related business people to elder hostels. The matched federal investment also fills the enormous demand for expertise to tackle rapid growth, change, and pressure on coastal resources.

Sea Grant is a national program addressing national needs. It is a partnership of and depends on partnerships among government, academia, business, industry, scientists, and private citizens to help Americans understand and wisely use our precious coastal waters and Great Lakes for enjoyment and long-term economic growth. This network unites 30 State Sea Grant programs, over 300 universities, and millions of people. Sea Grant is an agent for scientific discovery, technology transfer, economic growth, resource conservation, and public education. Study after study has shown that Sea Grant returns to the taxpayers many times its annual budget in goods and services. It is government as our citizens want it—visible, tangible, relevant, efficient, and effective.

SEA GRANT—INITIATIVES FOR FISCAL YEAR 2007

When adequately funded, Sea Grant can serve as the gateway to relevant and reliable scientific information used to address local, regional and Statewide resource management issues. Funding Sea Grant at the requested level will enable it to strategically invest in research and outreach programs targeted at important practical problems facing the Nation and address those problems with science-based solutions. Two initiatives for fiscal year 2007 demonstrate this objective.

Building Resilient Coastal Communities.—Coastal areas of the United States comprise only 10 percent of our Nation's land mass, yet they are home to more than 54 percent of Americans. As witnessed by the aftermath of Hurricanes Katrina, Rita, and Wilma, coastal communities and the natural resources and infrastructure

on which they depend are at increasing risk from hurricanes, tsunamis, coastal storms, shoreline change, and sea level rise. Sea Grant research and outreach provide coastal communities with the best available science-based information for sustainable community decision-making, coupled with the knowledge, experience and tools needed to bring diverse coastal interests together. The knowledge, programs and approaches developed by Sea Grant in one State or region can be applied broadly throughout the national network. The Sea Grant network will expand its efforts to improve coastal community leadership and planning capacities to jointly address economic, environmental and social issues. Our aim is to encourage and equip coastal communities to utilize long-term, integrated approaches to developing sustainable communities. This initiative would engage the research, education and outreach capabilities of Sea Grant's universities and partners to enhance mitigation, preparedness, planning, education, response, and recovery in coastal communities throughout the Nation.

Ensuring Safe and Sustainable Seafood for Americans.—The U.S. seafood industry faces many challenges and opportunities as it enters the 21st century. These include an increasingly competitive global marketplace, complex trade policies, stricter safety regulations, rising energy costs, food security concerns and an increasingly limited seafood supply. Change also brings new opportunities to expand markets, form strategic alliances and encourage innovations to lower production costs, create new products, add value to existing ones, increase safety and reduce waste. In this new seafood era, science and education are cornerstones for maintaining the vitality of the Nation's \$27 billion seafood industry (\$55 billion including consumer expenditures) and its 250,000-member workforce. To remain competitive, the industry must control the costs of catching, transporting, processing, storing, and distributing seafood. The U.S. seafood industry recognizes the benefits of innovation, but it is comprised of mostly small and medium-sized, independent enterprises that simply cannot afford research and development programs. Through its unique capabilities in research and technology transfer, the national Sea Grant network is poised to help the industry increase quality and safety, add value, lower costs and expand seafood supplies and markets.

SEA GRANT—SELECTED ACCOMPLISHMENTS

Aquaculture.—Sea Grant research and extension results have created the growth and development of fish farming in the United States. As a result, the growing of hybrid striped bass in ponds has expanded in just 10 years from a small demonstration project to an industry that produces 10 million pounds of fish valued at \$25 million annually. Sea Grant also developed a sterile oyster that can be grown year-round and that now comprises one-third of the \$86 million U.S. oyster market.

Coastal Hazards.—Based on Sea Grant recommendations, in 1986 the State of North Carolina implemented revisions in the State's hurricane resistant building code which increased the required minimum depth of foundation pilings for erosion prone coastal buildings. In 1996, Hurricane Fran was the first test of those standards. As a result, on Topsail Island, 200 of the 205 newer oceanfront houses built to the "Sea Grant" standards survived the hurricane with minimal foundation damage. In comparison, over 500 older oceanfront houses were destroyed in the same area.

Coastal Communities and Economies.—Much of the 32-mile river front along the Detroit River is bulkheaded and in disrepair thus requiring major revitalization investment. "Soft" engineering offered developers cost, maintenance and environmental advantages over traditional hard structures and promoting these advantages was necessary to meet river front renewal goals. Sea Grant has been extensively involved in this effort and chairs the Steering Committee for the Greater Detroit American Rivers Heritage initiative. As a result, Sea Grant sponsored conferences and workshops and published best management practice manuals which led General Motors to utilize less expensive "soft" engineering techniques in the development of its multi-million dollar, 32 mile long urban river promenade in the heart of Detroit, thus providing substantial savings to the project while simultaneously helping the environment.

Fisheries.—Sea Grant research has shown that visually modifying salmon gillnets and adjusting fishing schedules can reduce entanglements of seabirds. As a result, these findings, coupled with an observer program coordinated by Sea Grant, prevented the closure of the Puget Sound sockeye salmon fishery, saving hundreds of jobs and millions of dollars in the region's economy.

Ocean/Coastal Technology and Marine Biotechnology.—Sea Grant organized the first systematic research effort in the United States to develop new drugs from marine organisms. As a result, Sea Grant researchers have discovered and described

more than 1,000 compounds that may be vitally important as new anticancer, anti-inflammatory, and antibiotic agents.

Seafood Science and Safety.—To aid the seafood industry in meeting educational and training needs called for by new FDA regulations, Sea Grant spearheaded the formation of the “Seafood HACCP Alliance,” an intergovernmental agency partnership with industry and academia. As a result, the Alliance’s programs reached over 5,000 U.S. processing plants, and 6,000 importers and international suppliers with training on new seafood handling and processing techniques. In addition, it has been estimated that the program has prevented 20,000 to 60,000 seafood-related illnesses a year, thereby saving as much as \$115 million annually.

The SGA recognizes the subcommittee is facing an extremely constrained funding environment and must make difficult choices among many competing priorities. We urge you to consider Sea Grant has an investment in the future health and well being of our coastal communities and to support the program in line with this request.

Thank you for the opportunity to present these views.

Actual Start Date	Fiscal Year Funds Received	Amount	Match	Award No.	Grantor	Project Sub-Subtype
01/01/03	2003	\$706,474	\$282,308	NA030AR4170020	.....	Ballast Water Demonstration
01/01/03	2004	344,006	.....	NA96RG0501	.....	CERP
02/01/03	2003	38,000	.....	NA030AR4170022	NOAA	Krauss
02/01/03	2003	38,000	.....	NA030AR4170024	NOAA	Krauss
02/01/03	2003	2,621,762	1,469,954	NA16RG2207	NOAA	OMNIBUS
06/01/03	2003	31,667	6,333	NA17RG1375	NOAA	NMFS FELLOWSHIP
Total	.....	3,779,909	.....	.....	.....	.....
10/01/03	2004	70,774	.....	NSF-Seagrant-1	USMNSF	Vertically Integrated Partnership K-12
02/01/04	2005	38,000	.....	NA040AR4170008	NOAA	Krauss
02/01/04	2005	38,000	.....	NA040AR4170009	NOAA	Krauss
02/01/04	2004	38,000	.....	NA040AR4170010	NOAA	Krauss
02/01/04	2004	2,616,108	1,439,890	NA16RG2207	NOAA	OMNIBUS
05/01/04	2003	94,130	31,748	NA03NMF4570228	NOAA	Chesapeake Research Fellowship
09/01/04	2005	378,300	.....	NA040AR4170152	NOAA	Ballast Water Demonstration
Total	.....	3,273,312	.....	.....	.....	.....
10/01/04	2005	74,313	.....	NSF-Seagrant-1	USMNSF	Vertically Integrated Partnership K-12
02/01/05	2005	40,000	20,000	NA050AR4171035	NOAA	Krauss
02/01/05	2006	1,412,265	892,902	NA050AR4171042	NOAA	OMNIBUS
03/25/05	2003	10,000	.....	NA16RG2207	NOAA	OMNIBUS
05/01/05	2005	108,000	28,252	NA03NMF4570228	NOAA	Chesapeake Research Fellowship
06/01/05	2006	15,678	7,839	NA050AR4171042	NOAA	Fisheries
06/01/05	2006	107,472	56,468	NA050AR4171071	NOAA	ASR
06/01/05	2006	146,247	73,123	NA050AR4171107	NOAA	ASR
Total	.....	1,929,653	.....	.....	.....	.....
02/01/06	2006	1,407,800	942,098	NA050AR4171042	NOAA	OMNIBUS

PREPARED STATEMENT OF THE AMERICAN SOCIETY FOR MICROBIOLOGY

The American Society for Microbiology (ASM) is pleased to submit the following testimony on the fiscal year 2007 appropriation for the National Science Foundation (NSF). The ASM is the largest single life science organization with more than 43,000 members. The ASM mission is to enhance the science of microbiology, to gain a better understanding of life processes, and to promote the application of this knowledge for improved health and for economic and environmental well-being.

The NSF plays a critical role in ensuring the health of the Nation's research and education system, the principal source of new ideas and human resources in science and engineering. The NSF is the funding source for approximately 20 percent of all federally supported basic research conducted by U.S. colleges and universities. The NSF's broad support to U.S. academic institutions provides not only a key source of funds for basic discoveries across disciplinary fields, but also prepares students for the science and engineering workforce. The NSF is the primary federal agency charged with promoting science and engineering education at all levels and in all settings, from pre-kindergarten through career development. This educational effort helps to ensure that the United States has world-class scientists, mathematicians, and engineers.

The ASM strongly supports the administration's request of \$6.02 billion in fiscal year 2007 for the NSF, an increase of 7.9 percent over fiscal year 2006. The NSF is one of the three key agencies in the President's American Competitiveness Initiative (ACI), which plans to double investment over a 10-year period in key federal agencies that support basic research programs emphasizing physical sciences and engineering. The NSF funding request of \$6.02 billion is expected to support about 500 more research grants in 2007 and an estimated 6,400 additional scientists, students, and postdoctoral fellows.

The ASM would like to provide the following comments and recommendations on specific programs of interest and concern within the NSF budget.

BIOLOGICAL SCIENCES DIRECTORATE

The NSF Directorate for Biological Sciences (BIO) provides critical support for a broad array of biological sciences, particularly in areas such as environmental biology and plant sciences. BIO provides 66 percent of all federal support for non-medical biological research at academic institutions. Research programs range from the study of the structure and dynamics of biological molecules, such as proteins and nucleic acids, through cells, organs, and intact organisms to studies of populations and ecosystems. It encompasses processes that are internal to particular organisms as well as those that are external, and includes temporal frameworks ranging from immediate measurements through life spans of mere minutes for some microorganisms to the full scope of evolutionary time.

Basic research in the biosciences is key to understanding the living world from molecules to organisms to ecosystems, providing discoveries applicable to meeting health, environmental, agricultural, and energy needs. The fiscal year 2007 budget request for the BIO directorate is \$607.9 million, an increase of \$31.6 million, or 5.4 percent, over the fiscal year 2006 level. This increase will allow BIO to award about 95 more research grants in fiscal year 2007 with an estimated funding rate of approximately 18 percent.

BIO MOLECULAR AND CELLULAR BIOSCIENCES: MICROBIAL BIOLOGY RESEARCH

The Molecular and Cellular Biosciences (MCB) Division within the Biological Sciences Directorate of the NSF includes research activities in microbiology that were transferred to the Emerging Frontiers subactivity for a new emphasis in Microbial Biology in fiscal year 2006. The Microbial Observatories/Microbial Interactions and Processes program (MO/MIP) has been returned to MCB for fiscal year 2007. The ASM has received unsolicited comments about the transfer of the MO/MIP and its budgetary consequences from more than 100 individuals representing more than 40 institutions. The ASM would like to express its strong support for the MO/MIP program, and recommends Congress fund the program at \$10 million, to allow for important research initiatives.

The MO/MIP was recently housed in Emerging Frontiers in recognition of the need for a distinct emphasis on microbial biology research that cannot be supported adequately in other programs. Transfer of the MO/MIP from Emerging Frontiers to the Division of Molecular and Cellular Biosciences (MCB) raises questions about the NSF's intentions regarding the future of this program.

The ASM is concerned about the MO/MIP, since the pace of astounding discoveries in microbial biology has been increasing through applications of genomics and

metagenomics. The MO/MIP program has been exemplary in achieving its goals. It supports research, training and outreach that are helping to define the future of microbiology and interdisciplinary efforts involving microbes. The MO/MIP is thriving and deserves expanded support and long-term commitments from NSF. Such commitments should be reflected in the 7.9 percent increase in the NSF's budget request to Congress, which includes a 5.4 percent increase for the Biological Sciences Directorate.

BIO EMERGING FRONTIERS PROGRAMS

The budget request for the Emerging Frontiers (EF) subactivity for fiscal year 2007 is for \$99.16 million, an increase of about 23 percent over fiscal year 2006. This increase is partly the result of the transfer of support for all BIO centers for centralization at the EF, including the two current centers, and two new centers expected to start in fiscal year 2007. With the proposed transfer of the MO/MIP program to the MCB, just two microbial related programs are left within the EF, the Microbial Genome Sequencing Program and Ecology of Infectious Diseases.

The Microbial Genome Sequencing program is to be conducted jointly with a competitive grants program in the U.S. Department of Agriculture, while the Ecology of Infectious Diseases is an interagency partnership with the National Institutes of Health (NIH) to support the development of predictive models and discovery of principles for relationships between environmental factors and transmission of infectious agents. Potential benefits include the development of disease transmission models, understanding the unintended health effects of environmental change, and improved prediction of disease outbreaks, including the emergence or reemergence of disease agents. Examples of environmental factors include habitat transformation, biological invasion, biodiversity loss, and contamination. The ASM is concerned that these programs are being transferred out of an EF priority area and have level funding proposed for fiscal year 2007.

BIO DIVISION OF ENVIRONMENTAL BIOLOGY

The Division of Environmental Biology (DEB) priorities for fiscal year 2007 are represented by four clusters focused on studies to accelerate the rate of discovery of new species, address the genealogical relationships of plants, animals, fungi, and microbes; illuminate the spatial and temporal dynamics of species interactions; discover the principles or rules by which species are assembled into functional communities and change through time; and determine the flux of energy and materials through ecosystems. The core research within the DEB will increase by \$6.32 million due to the transfer of responsibility for funding the National Center for Ecological Analysis and Synthesis to Emerging Frontiers.

The DEB also supports the Long-Term Ecological Research (LTER) program, a network of 26 comprehensive research sites located in areas that broadly represent the global range of natural, agricultural, and urban ecosystems. Support for the LTER program is requested to increase by \$1.12 million in fiscal year 2007, for a total of \$19.6 million.

The ASM supports the fiscal year 2007 budget request for the DEB of \$109.6 million, an increase of 2.7 percent over fiscal year 2006.

BIO NATIONAL NANOTECHNOLOGY INITIATIVE

The National Nanotechnology Initiative (NNI) encompasses the systematic organization, manipulation, and control of matter at the atomic, molecular, and supramolecular levels. With the capacity to manipulate matter at the nanometer scale (one-billionth of a meter), science, engineering, and technology are realizing revolutionary advances in areas, such as, individualized pharmaceuticals, new drug delivery systems, more resilient materials and fabrics, catalysts for industry, and computer chips. The NSF has been a pioneer among federal agencies in fostering the development of nanoscale science. The ASM supports the administration's fiscal year 2007 request of \$52.55 million for the NNI within BIO, a 7.2 percent increase over fiscal year 2006.

NATIONAL ECOLOGICAL OBSERVATORY NETWORK

The fiscal year 2007 budget request for the National Ecological Observatory Network (NEON) throughout NSF is \$24 million, an increase of \$18 million over fiscal year 2006. NEON has the potential to transform ecological research. The NEON program calls for developing a continental-scale research instrument consisting of geographically distributed infrastructure that will be networked via state-of-the-art communications to obtain a predictive understanding of the Nation's environment.

A very large number of scientists, students, resource managers, and decision makers could make use of NEON data, both directly and indirectly, through the network capabilities and the internet. The ASM supports the administration's fiscal year 2007 request of \$24 million for NEON.

The \$24 million includes: \$6 million within the Biological Infrastructure division of BIO to continue implementation planning; \$6 million within the Emerging Frontiers division for sensor array research and development; and \$12 million within the Major Research Equipment and Facilities Construction (MRE&FC) account at the NSF to assemble and evaluate the NEON fundamental technology unit (BioMesoNet, sensor micronets, and enabling cyberinfrastructure) that will be deployed.

GEOSCIENCES DIRECTORATE

The fiscal year 2007 request proposes restructuring the Geosciences Directorate (GEO) to include a new subactivity, Innovative and Collaborative Education and Research (ICER), which will support multidisciplinary research and education activities that were previously done through the Atmospheric Sciences (ATM), Earth Sciences (EAR), and Ocean Sciences (OCE). The new ICER subactivity priorities include Ecology of Infectious Diseases, in partnership with the BIO directorate and the NIH. Additionally, the EAR and the OCE support other important microbiological research related to the Earth's diverse ecological systems and climate change. The ASM urges Congress to support the administrations' request of \$744.9 million for GEO in fiscal year 2007, a 6 percent increase over fiscal year 2006.

ENGINEERING DIRECTORATE

The fiscal year 2007 request proposes restructuring the Engineering Directorate. The ASM has traditionally supported research conducted through the Bioengineering and Environmental Systems (BES) division. The proposed restructuring would combine the BES division with the Chemical and Transport Systems (CTS) division to become the Chemical, Bioengineering, Environmental and Transport Systems (CBET) division. In fiscal year 2006, BES was funded at \$52 million and CTS at \$70.8 million, for a total of \$122.8 million. The fiscal year 2007 request proposes increasing funding for CBET to \$124.44.

The CBET will play a vital role in supporting research, innovation, and education in the rapidly evolving fields of bioengineering and environmental engineering. Including research on microbial fuel cells, liquid biofuels, and biohydrogen, as well as exploratory research in nanobiotechnology. The ASM recommends Congress support the increased funding for the CBET to foster technological innovations that will advance the global competitiveness of our industries and the health of our environment.

CONCLUSION

The NSF plays a key role in supporting basic science in the United States. Knowledge gained from the NSF studies directly benefits industry and contributes to the economy and U.S. international competitiveness. There is a growing synergy among the biological, physical and social sciences, and U.S. investment in science and technology should support all science.

The NSF is in a singular position among all the federal research and development agencies to support fundamental research in a wide range of important areas, including microbiology and molecular biology. The ASM urges Congress to support the administration's request of \$6.02 billion for the NSF in fiscal year 2007. The ASM believes the NSF should continue to emphasize fundamental, investigator-initiated research, research training, and science education as its highest priorities.

The ASM appreciates the opportunity to provide written testimony and would be pleased to assist the subcommittee as it considers its appropriation for the NSF for fiscal year 2007.

PREPARED STATEMENT OF THE COALITION OF EPSCoR/IDEA STATES

Mr. Chairman: My name is Royce Engstrom. I am a Provost and Vice President for Academic Affairs at the University of South Dakota and a member of the South Dakota EPSCoR Statewide Committee, the governing body that oversees EPSCoR

activities in South Dakota. I submit this testimony on behalf of the 25 States,¹ the U.S. Virgin Islands, and the Commonwealth of Puerto Rico that participate in the federal EPSCoR program and the Coalition of EPSCoR/IDeA States. I have the honor of serving as the chair of the Board of the Coalition of EPSCoR/IDeA States.

As most of you know, the Experimental Program to Stimulate Competitive Research (EPSCoR) was established at the National Science Foundation (NSF) in 1979 to assist those States that historically had not fully participated in the federal research and development (R&D) enterprise. Historically, these States were less competitive than others throughout the Nation for a variety of reasons—some tended to be rural and geographically isolated; others tended to be among the States with large numbers of students who were under-represented minorities or disadvantaged economically; and some were States that traditionally invested more heavily in an agriculture and natural resource research base than technological endeavors. For these reasons, EPSCoR States did not benefit from the large federal institutional development investments made to universities and colleges as part of a national effort to broaden and strengthen the U.S. public university system and its R&D capability. Consequently, today, all the institutions in these States—half of the States—receive less than 10 percent of all NSF and all federal R&D funding. Otherwise, we are ignoring a large reservoir of talent and expertise that are necessary for our country to remain competitive in the world.

Helping these 25 States grow to be more competitive has become more important in recent years in order to overcome the concentration of federal R&D funding in a few States and institutions, and to create a broader research community throughout the Nation. Today, all States should be full participants in federal R&D efforts and federal R&D support should be available to qualified students and researchers wherever they are.

The EPSCoR program started at NSF with five States. It grew to its current number of 25 States and two territories as more States, the Congress, and the research field came to realize the need to raise the science and technology (S&T) research capabilities to new levels, and as new States realized the value of a program that emphasized research infrastructure and capacity building.

The EPSCoR program remained a very small program for the first half of its life. Its budget, federal-wide, was only \$8 million in 1990 for all the States. It has only been since the mid-1990's that we have seen real increases in funding and the extension of the program to agencies outside of the NSF. For those of us in the EPSCoR States, these have been welcome advances but we also understand that they have been extremely modest in comparison to the overall increases in total federal R&D funding and to increases currently being contemplated for NSF and DOE's Office of Science. We also know that, as in other States, much of the recent increase has been focused on the life sciences, as opposed to the physical sciences and engineering. This is true, despite the fact that many EPSCoR institutions have strong engineering programs. During the 1990's, EPSCoR grew rapidly, expanding from 5 States to 25 States and 2 territories as Congress recognized that EPSCoR funding was successfully building S&T research infrastructure in higher education institutions in a fashion that contributed to the wealth creation process in the initial group of EPSCoR jurisdictions. Congress also expanded the program into six new agencies; the Departments of: Agriculture, Defense, Energy, the National Institutes of Health (NIH), the Environmental Protection Agency (EPA), and the National Aeronautics and Space Administration (NASA). These seven Federal departments and agencies now have EPSCoR-like programs that focus on building academic research infrastructure that will ultimately contribute to the economies of EPSCoR jurisdictions in the 21st century in similar ways to how agriculture, mining, and forestry contributed to the economies in the 19th and early 20th centuries.

Let me provide an example of how the federal agencies are able to accomplish the mission of building research infrastructure and improving the competitiveness of our university researchers. At the National Science Foundation, the "center piece" of the EPSCoR effort is the Research Infrastructure Improvement (RII) awards. The awards establish a Federal-State partnership, which is most clearly seen in the composition of the State Steering Committees, or EPSCoR State committees. Typically, senior university officials, representatives of State government (both legislative and executive branches), and local business officials come together and develop a S&T plan for their State that focuses on a few selected areas where researchers can become competitive for funding in federal, non-profit, or industrial competitions. The

¹ Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, West Virginia, and Wyoming.

focus areas are selected because of inherent scientific quality, able faculty, and because of the likelihood of potential benefit to the States' citizenry. As a result, EPSCoR States have entered into high-tech computing, bio-medical research, and nanotechnology. The State EPSCoR "team" then submits a RII proposal to NSF for funding support in these areas.

The RII's are not an end unto themselves. Every researcher who is supported under the NSF RII's is expected to apply to one of the regular S&T programs at NSF or one of the other federal R&D funding agencies before the RII award is completed. The track record of these researchers over time has been remarkable. Recently, NSF released statistics showing that since 1998 (which was the first year that NSF issued RII awards) EPSCoR States accounted for 9 of the 10 U.S. States with the greatest increase in science and engineering funding. This success has occurred in areas where EPSCoR institutions had not previously been competitive. For example, for the first time, EPSCoR institutions have used RII funding as a base to successfully compete for large-scale awards like the Engineering Research Centers and Materials Research Science and Engineering, Integrative Graduate Education and Research Traineeship Program.

At NIH and other agencies with EPSCoR-like programs, EPSCoR researchers are building on research infrastructure grants to compete for funding that not only advances academic science and technology, but serves the mission of these agencies in the areas of defense, environment, health, and agriculture. EPSCoR researchers are becoming increasingly adept at spinning off academic research into small companies. EPSCoR States are becoming more competitive for Small Business Innovative Research (SBIR) awards. SBIR awards have great potential to produce not just companies but high paying jobs for our States' youth.

Many EPSCoR institutions are now actively engaged in issues related to homeland security. For example, some of our institutions are carrying out research that improves the safety of food products as they move from the field to grocery store. Other institutions are engaged in defense issues that relate to improving communication for troops in the field during combat. Still others are addressing issues related to transportation. All of these examples are intended to demonstrate that the initial federal investment in building the research capabilities of our universities through EPSCoR and EPSCoR-like programs has had a profound impact beyond our campuses.

I will now provide some specific cases, which emphasize the importance of this program to South Dakota and other EPSCoR States. The South Dakota EPSCoR REACH Committee manages the development and implementation of Statewide science, engineering and mathematics research, education, and related programs. It enhances the research and intellectual capacity of South Dakota universities and colleges by building and coordinating strategic investments in human capital and physical infrastructures necessary for South Dakota to develop the capacity to make the State more competitive in research and economic development, nationally and internationally.

South Dakota has benefited tremendously from the EPSCoR program. For example, using EPSCoR as a catalyst, we have developed four major research centers that form the core of Governor Mike Rounds "2010 Initiative." The centers are in the areas of nanotechnology, light-activated materials, biomedical signal transduction, and vaccinology. The progress made by investigators in these areas, supported in significant ways by EPSCoR, has resulted in an additional \$20 million investment on the part of the State. In addition, in the last 2 years, we have initiated seven new Ph.D. programs to help educate future scientists for South Dakota. The clear recognition of the connection between research and economic development has been made in South Dakota, and the sustained support by EPSCoR has been absolutely key to that connection.

EPSCoR-funded science and technology dividends to South Dakota reflect an understanding that investments in infrastructure are needed for South Dakota to compete in a knowledge-based economy. Without State support, South Dakota EPSCoR would not be able to participate in most federal EPSCoR initiatives. Several of the federal programs have required a "State match".

The South Dakota EPSCoR program has many unique features to enhance cooperation between our universities. In addition to supporting individual research projects, the program funds faculty and student exchange programs, provides interdisciplinary planning grants for cooperative scientific ventures among our universities; and offers undergraduate summer research fellowships.

We are delighted to stress that EPSCoR has had a positive influence on State economic development well beyond what was initially conceived for the program. As a focal point for technological and scientific improvement across the State, EPSCoR identified areas of priority for funding and helped to draft South Dakota's strategic

plan for scientific and technological development. In addition to the growth in basic research, we have seen a substantial increase in SBIR activity, to the point that the State has established two new offices: a system-wide Vice President for Research, and a State Commercialization Director, whose job it is to help transfer ideas from the universities to the private sector.

Within each States' EPSCoR program, efforts continue to identify: (1) high potential research areas in which to concentrate limited State resources and (2) barriers that must be removed to attain nationally competitive science and engineering research and education programs. A critical need for EPSCoR States is to overcome a lack of critical mass (i.e. too few faculty in a given area of research) by collaborating inside the State and with outside partners.

NSF EPSCoR is helping us ensure, through its Research Infrastructure Improvement (RII) awards and co-funding, that our States have an opportunity to develop these new fields. This is vitally important to the economy of each of our States and especially to our young people who live therein. Despite increased mobility, the vast majority of students still attend college within 100 miles of home. EPSCoR helps to guarantee that students and residents of all States have the access to high-quality education, front-line research, and the quality of life and jobs that comes with an active and competitive R&D base.

Again, the cornerstone of the NSF EPSCoR program are the Research Infrastructure Improvement awards (RIIs). These awards focus on South Dakota's competitive academic science and technology base. The RIIs strengthen South Dakota's ability to compete favorably for mainstream program funds at the NSF, other agencies and for private sector dollars.

Consequently, we urge the subcommittee to continue support for EPSCoR by appropriating \$125 million in fiscal year 2007 funding for the NSF EPSCoR core program in the NSF Education and Human Resources Directorate. This funding will: (1) allow the NSF EPSCoR program to implement its expanded core RII program to continue building our infrastructure and expertise in areas of scientific importance to the States and Nation; and (2) increase co-funding and assistance to our States so that the number of scientists and engineers in the EPSCoR States and universities that receive competitive federal R&D support continues to grow.

For the NASA EPSCoR program, we are requesting \$15 million. There are currently two components to the NASA EPSCoR program: core grants and research cluster awards. A core-funding award is made to each eligible State to develop a program, secure collaborations with NASA centers and programs and cover related administrative expenses. The remaining funds have been granted to the eligible States to support specific, competitively selected research clusters. The intent is for these clusters to develop an infrastructure in key NASA related research areas within the State, which will then be competitive for other NASA funding. NASA is currently planning its next round of awards and will be allowing all 27 NSF EPSCoR jurisdictions (as opposed to 23 currently eligible NASA EPSCoR States) to submit. We know that NASA had more meritorious proposals than it could fund during the last competition and we believe that there are even more qualified proposals to be submitted pursuant to the next solicitation, even without the addition of new States.

On behalf of the Coalition of EPSCoR/IDeA States, please know that the relatively modest NSF investment in EPSCoR plays a unique role in developing a truly nationwide science and technology capability. A strong EPSCoR is a sound investment for our Nation's future.

DISCLOSURE OF AMOUNT AND SOURCE OF FEDERAL GRANTS (FISCAL YEAR 2003, FISCAL YEAR 2004 AND FISCAL YEAR 2005) OF DR. ROYCE C. ENGSTROM, UNIVERSITY OF SOUTH DAKOTA

Dr. Engstrom has participated in the following federally-funded projects during the fiscal years 2003–2005:

REU Site: Excavation and Reconstruction of a Northern Plains Bison Kill Site, National Science Foundation, 2002–2005, \$155,778. This project was an interdisciplinary undergraduate research project focusing on anthropology. (Co-Principal Investigator)

Statewide Partnership to Support Technology Innovation and Entrepreneurship in South Dakota, National Science Foundation, 2002–2005, \$598,247. (Co-Principal Investigator)

EPSCoR Centers Development Initiative (CDI), National Science Foundation, 2001–2004, \$1,713,836. This project was aimed at providing technical assistance to EPSCoR States in their efforts at building nationally competitive research centers.

South Dakota EPSCoR Rushmore Initiative for Excellence in Research, National Science Foundation EPSCoR, 2001–2004, \$2,293,628 (USD portion). This project was the Research Infrastructure Initiative for South Dakota’s EPSCoR program. (Co-Project Director)

REU Site: Tracing the Lewis and Clark Expedition, National Science Foundation, 2001–2004, \$173,605. This was an interdisciplinary undergraduate research program at the University of South Dakota. (Co-Principal Investigator)

PREPARED STATEMENT OF THE NATIONAL SPACE GRANT ALLIANCE

INTRODUCTION

Mr. Chairman and distinguished members of the subcommittee, thank you for allowing me to provide testimony on behalf of the National Space Grant Alliance (NSGA) as you consider funding priorities relevant to the fiscal year 2007 Commerce, Justice and Science Related Agencies appropriations bill. I am Mary Sandy, Virginia Space Grant Director.

Today, I speak to you in support of NASA’s National Space Grant College and Fellowship Program (Space Grant). In an effort to bring national coherence to our efforts, the Space Grant Directors formed the National Space Grant Alliance (NSGA). NSGA is a non-profit national organization that is working to: (a) galvanize support and enthusiasm for aerospace research and education; (b) ensure that Space Grant has an appropriate level of financial and programmatic support; and (c) align Space Grant’s education, research, and workforce development activities with NASA’s mission to “inspire the next generation of explorers—as only NASA can.” Comprised of 52 Space Grant consortia including 867 affiliates—located in every State of the country, the District of Columbia, and the Commonwealth of Puerto Rico—the NSGA requests that you approve the President’s fiscal year 2007 request of \$28.76 million for Space Grant with the following language: The committee has included the budget request of \$28,760,000 for the National Space Grant College and Fellowship program. The amount provided will fund 35 States at \$615,250 each and 17 States at \$425,000. We believe that funding the Space Grant program at \$28.76 million and including the requested language will allow the Space Grant program to move forward and will encourage the rapid allocation of funds to the individual Space Grant consortia so that they can efficiently plan and implement their State programs.

BACKGROUND

Congress established the National Space Grant College and Fellowship program under Title II of the NASA Authorization Act of 1988. Through a national network of colleges, universities, and affiliates, Space Grant supports and enhances science and engineering education, research and outreach programs through three major components: (1) Education and Workforce Development; (2) Public Understanding and Participation in NASA-related Science and Technology Programs; and (3) Research Enhancement Programs.

—*Education and Workforce Development.*—Space Grant programs substantially contribute to creating a diverse, scientifically literate and prepared workforce. Its programs encourage and help prepare students to enter science, mathematics and engineering careers, by offering “hands-on” learning with aerospace technology. Space Grant has been particularly successful in recruiting and training students from underrepresented groups and women.

—*Public Understanding and Participation in Aerospace-Related Science and Technology Programs.*—Space Grant consortia provide a wide array of public outreach programs that reach citizens of all ages: Space Grant supports more than 400 public outreach programs reaching over 3 million people each year.

—*Research Enhancement Programs.*—The development of a strong research base and infrastructure is critical to securing U.S. world leadership in science and technology. In addition to improving the quality of education, Space Grant is dedicated to strengthening research capability, and integrating this research with education and human resource development.

SPACE GRANT AND ITS VALUE TO THE NATION

The 52 university-based Space Grant consortia:

—Support over 1,915 undergraduate and 632 graduate students in practical education and research experiences in aerospace science and engineering, and related fields. In fiscal year 2003, we awarded \$9.5 million in scholarships and

fellowships to students—22 percent of whom are minority, and 44 percent are women.

- Infuse NASA space exploration and technology goals, knowledge, and materials into the education experiences of over 1.3 million K–12 students and teachers.
- Reach over 3.5 million people annually through public outreach and awareness campaigns emphasizing the importance of aerospace science, the excitement of space exploration and discovery and its contribution to the Nation's scientific knowledge base and our economy.

To give you a better picture of Space Grant, I'd like to tell you a little about the Virginia Space Grant Consortium, where I am the director, and cite a few of our accomplishments.

VIRGINIA SPACE GRANT CONSORTIUM

The Virginia Space Grant Consortium (VSGC) is a coalition of five Virginia colleges and universities, two NASA centers, State education agencies, Virginia's Center for Innovative Technology, and other institutions and informal science centers, representing diverse aerospace education and research interests. The Consortium acts as an umbrella organization, coordinating and developing quality aerospace-related, high technology, educational applications and research efforts throughout the Commonwealth as well as regionally and nationally for some efforts. We are committed to promoting and achieving excellence in education and research in science, mathematics, technology and engineering at all levels in Virginia. The Consortium also seeks to encourage student and faculty diversity in these fields and to foster scientifically and technologically literate citizens. The Consortium received its Space Grant designation in 1989. It is a mature organization that is well established in the State with strong programs in all of the Space Grant program areas.

The VSGC is a highly leveraged program. In recent years, each Space Grant dollar has been leveraged by about \$6 in cash and in-kind contributions from other sources. Programs and interactions with NASA centers have grown to include all NASA centers. State networks have vastly expanded.

In the program's recent 5-year evaluation period, VSGC Higher Education programs impacted 1,494 individuals, primarily undergraduate students, but graduate students and faculty as well. Implementation of two industry internship programs involved 52 undergraduate students and more than 36 industries and garnered strong State and industry funding. The VSGC-managed NASA Undergraduate Student Research program placed 622 students in summer or fall internships at all NASA centers, Los Alamos National Laboratory and National Renewable Energy Lab.

In the Research and Technology Applications arena, VSGC has generated sufficient funding to develop and maintain a full-time Research Programs Manager. Research missions, applications and infrastructure programs have grown exponentially from \$28,871 in 1998 to \$429,766 in 2002. The additional funding secured from grants and contracts for new projects with members and partners permitted a total of 41 programs involving 3,359 participants in this time frame. Participation of NASA Langley Research Center and NASA's Goddard/Wallops Flight Facility Consortium members has opened doors to new collaborative ventures that are mutually beneficial. The VSGC is one of 14 Space Grant programs which have developed a partnership with Cooperative Extension and established a geospatial extension specialist. The Virginia Space Grant Geospatial Extension program is serving as a hub for terrific synergy among Cooperative Extension, universities, community colleges, Sea Grant, State natural resource agencies and other partners. Virginia Tech, VSGC, Cooperative Extension and Virginia Access-Mid-Atlantic Geographic Information Consortium, a NASA-Stennis funded partnership, are contributing resources to extend the reach of this program in ways that are already making a difference in the Commonwealth for Extension Agent training, workforce development programs with community colleges, networking and sharing of information, data tools, and other resources.

Pre-college programs engaging over 75,000 educators over the past 7 years. All are carefully aligned with State standards of learning in math, science and technology. The Virginia Department of Education is a VSGC member and key partner that has helped us to reach out to all Virginia school divisions with our professional development programs, including OVERspace, our professional development program for teachers in how to use GPS and GIS as teaching and learning tools, and our Space Science workshops and materials dissemination for teachers of learning disabled as well as blind and low vision students. We are particularly pleased with the six-series Journey Into Cyberspace distance-learning program for middle school career exploration produced in partnership with Old Dominion University and

NASA. Nearly 3,000 students nationwide participated in six grade-related challenges in the 2005 competition in the NASA Student Involvement program which we co-managed on behalf of the National Space Grant Foundation prior to NASA's ending the program and which engages every state Space Grant program.

Public and informal educational programming, often undertaken with museum members, included StarDate sponsorships at six Virginia radio stations throughout the Commonwealth, co-sponsorship of a Native American Sky Legends planetarium program for national distribution, and a range of museum programming. Over the latest 5-year evaluation period, 47 programs in this arena reached 373,829 participants.

Impact/Results: The VSGC's extensive networks into member institutions at all levels, as well as extended State, Federal, industry and non-profit networks, are crucial to the Consortium's success. The Consortium's openness to collaborative partnerships together with its willingness to serve as the facilitating element and often to provide the administrative component has helped to engineer projects for success. The flexibility offered by our organizational and fiscal structure helps us to create and take advantage of opportunities that arise. Success in securing grants, contracts and other external funding, together with strong leveraging of financial, human and material resources is also an element in the successful accomplishment of our goals.

FISCAL YEAR 2007 REQUEST FOR SPACE GRANT—\$28.76 MILLION

Clearly, we are very busy in our Space Grant consortia and very proud of what we are able to do but we know that there is much more that we can do that is very important to science education in this country and to maintaining the pipeline of highly qualified scientists and engineers for our high technology industries to ensure U.S. global competitiveness.

How \$28.76 million will be utilized:

- Strengthen the national network structure by raising the level of annual funding at 35 States to \$615,250 and 17 States to \$425,000.
- Maintain existing network of S&Es—located in 50 States, Puerto Rico and the Virgin Islands and comprised of 800 universities, colleges, and private industries.
- Continue and strengthen the undergraduate and graduate STEM education programs for talented American youth to pursue careers in NASA related disciplines by:
- Attract and retain students in STEM disciplines through a progression of educational opportunities for students, teachers, and faculty.
- Build the NASA and aerospace industry workforce in order to meet NASA's strategic goals.
- Build strategic partnerships and linkages between STEM formal and informal education providers.

Results of increased funding in fiscal year 2006:

- Dramatic increase and linkage of undergraduate and graduate students to NASA research and exploration initiatives at NASA field centers.
- Increased research experiences for undergraduates by maintaining and expanding the Student Satellite Initiative and young faculty research development.
- Sustained K-12 programs and links to new Code N Initiatives by providing training workshops and after-school programs to assist faculty and teachers and to attract and motivate students into relevant career tracks.

Taken together, these activities help to promote workforce development and help support NASA and Congress' goal to address the national "brain drain" in the aerospace science and engineering workforce. NASA, through its National Space Grant consortia/network and affiliate programs, can effectively encourage and improve the possibility for students to pursue careers in aerospace science and technology fields.

SUMMARY

In summary, Space Grant has achieved what most other science agencies have not.

- Created a national network that fosters strong partnerships among university faculty, colleges of education, K-12 and business communities in the States.
- Mobilized and immersed Science and Technology faculty in education initiatives.
- Highly utilized and highly leveraged NASA resources to inspire and motivate the next generation of explorers.

Space Grant is delivering a remarkable number of high quality educational experiences for a very small NASA investment. Space Grant is a sound investment in America's future and should be expanded.

PREPARED STATEMENT OF ASSEMBLYMAN SAM BLAKESLEE, ASSEMBLYMEMBER, 33RD
DISTRICT, CALIFORNIA LEGISLATURE

Mr. Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of an appropriation of \$1.5 million from NOAA's Coastal and Estuarine Land Conservation Program for Piedras Blancas in California.

Nestled among lush rolling hills shadowed by ancient volcanic peaks, San Luis Obispo County offers residents and visitors a welcome respite from crowded urban areas. The northwestern part of the county is often referred to as the "Southern Gateway to Big Sur," and it is here that the famous Hearst Ranch is located adjacent to Los Padres National Forest. Covering 128 square miles, including 18 miles of coastline, the ranch was originally known as Rancho Piedra Blanca, named for an offshore white rock outcropping. In 1865, Senator George Hearst purchased the property, and in 1919 his son, William Randolph Hearst, started construction of Hearst Castle. The ranch offers outstanding scenic vistas, including 19 beaches, and contains numerous creeks flowing into the Pacific Ocean. It is home to a wide variety of wildlife—including eagles, hawks, deer, coyote and steelhead trout—and plant life including grasslands, chaparral, oak woodlands and California poppies.

The Hearst Ranch Conservation Project, completed in early 2005, protects the entire historic ranch through voluntary conservation agreements and included the donation of 1,500 acres of land on the west side of Highway 1 to the State of California. Although this conservation agreement protects the scenic and rural character of this 18-mile stretch of coast, there remains one privately held parcel along the coast west of Highway 1, known as Piedras Blancas.

Located 1 mile north of the Piedras Blancas Lighthouse, this 20-acre parcel is available for acquisition in fiscal year 2007. Formerly the site of a 14-unit motel, coffee shop, gas station, and private residence, the property will be restored in large part to its natural state and made ready for State park acquisition. Funds from the Coastal and Estuarine Land Conservation program (CELCP) will be used to purchase 18 acres of the land for the coastal resources, and funding will be secured from other sources to potentially develop an interpretive center and low-cost accommodations, such as a hostel or campground, on the remaining 2 acres.

Public acquisition of the Piedras Blancas parcel offers a unique opportunity to enhance the Hearst Ranch Conservation Project by providing: (1) a permanent safe place for visitors to pull off the highway, park in the existing lot and access the coastal bluffs and beaches of the Hearst Coast; (2) the possibility of developing visitor serving facilities such as an interpretive center for the Hearst Coast and elephant seal, café, public restrooms and low-cost overnight accommodations due to its rare recreational zoning; and (3) these urgently needed public access and visitor serving benefits in an area of high demand due to its location just 7 miles north of the popular Hearst Castle, which receives over 1 million visitors per year. Additionally, the site offers the potential to develop guided hiking tours to the nearby Piedras Blancas Lighthouse and elephant seal rookery, as well as a second staging area for vehicular tours to the lighthouse.

The southern beach of the property is also home to dozens of elephant seals during the winter each year. The steep bluffs overlooking the beach offer a safe viewing area for visitors watching the elephant seals. Arroyo del Corral Creek drains into the ocean at this beach attracting birds and other wildlife to the freshwater resources.

While the shoreline along Hearst Ranch is mostly under State protection, much of it is still inaccessible. It may take as long as 5 years by State Parks to implement a public access plan for these coastal areas. In the meantime, Piedras Blancas will be a critically needed safe access point for the public to access trails along the bluffs and down to the beaches. Safe and easy public access and the potential for visitor facilities make Piedras Blancas a key acquisition for the California Department of Parks and Recreation. This project is the missing half-mile of coast for the California Coastal Trail on a 13-mile stretch of land that was recently made public as part of the Hearst Project. Piedras Blancas will provide a welcome respite to the hikers and bicyclists on the California Coastal Trail as well as to visitors who come by car on Highway 1.

Without permanent public protection, there is high risk that the property could be sold and developed privately as an exclusive resort given its hotel zoning, making the bluffs and beaches off-limits to the public and forever leaving a missing link in the Coastal Trail. The northern portion of the property is under natural heavy erosion pressure accelerated by piecemeal shoreline armoring of Highway 1 just north of the property. There is the further risk that a future buyer would seek to build a seawall on site to protect structures from erosion. A seawall would negatively im-

pact the property's coastal habitat in a designated area of the Monterey Bay National Marine Sanctuary.

In fiscal year 2006, Congress appropriated \$500,000 towards this conservation effort. A fiscal year 2007 appropriation of \$1.5 million from the Coastal and Estuarine Land Conservation program is the final funding needed for the California Department of Parks and Recreation to acquire and conserve this unique and vital property on the Pacific Coast. The California Coastal Conservancy has already pledged matching funds and ranked Piedras Blancas as the top CELCP priority in the State.

Thank you, Mr. Chairman, for your consideration of the appropriations request for this critical project in my district.

PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences encourages Congress to support the President's fiscal year 2007 budget request of \$6.02 billion for the National Science Foundation.

The administration's request reflects the recognition of the important role that fundamental, peer-reviewed scientific research plays in driving innovation, creating new economic opportunities, and addressing important societal challenges. The National Science Foundation Biological Sciences Directorate (BIO) is particularly important to basic biological research, the fields of study concerned with understanding how the natural world works. These research disciplines include botany, zoology, microbiology, ecology, basic molecular and cellular biology, systematics and taxonomy. Indeed, according to National Science Foundation data, more than 65 percent of fundamental biological research is funded by the foundation. Additionally, the National Science Foundation provides essential support for the development of research infrastructure (for example, natural science collections, cyber-infrastructure, field and marine stations, and the National Ecological Observatory Network) that is required to advance our understanding of biological and ecological systems.

We strongly support the President's fiscal year 2007 budget request, which would provide the BIO directorate with roughly \$607.8 million (a 5.4 percent increase). This funding would support important new research efforts in the areas of Molecular and Cellular Biosciences (\$111.2 million), Integrative Organismal Biology (\$100.7 million), Environmental Biology (\$109.6 million), Biological Infrastructure (\$85.9 million), and Plant Genome Research (\$101.2 million). The budget also reflects the need for synthesizing biological information from different fields. Thus, \$99.2 million is allocated for the cross discipline Emerging Frontiers program area.

The President's request includes \$24 million in funding for the National Ecological Observatory Network (NEON). Of the requested funding for NEON, \$12 million would come from the Major Research Equipment and Facilities Construction account and \$12 million would come from the BIO directorate. NEON will be the first national ecological measurement and observation system designed both to answer regional to continental scale scientific questions and to have the interdisciplinary participation necessary to achieve credible ecological forecasting and prediction. NEON is expected to transform the way we conduct science by enabling the integration of research and education from natural to human systems, and from genomes to the biosphere. Social scientists and educators have worked with ecologists and physical scientists to plan and design NEON. These research communities will all be able to participate in research only possible because of the construction of NEON.

The National Science Foundation plays an important role in science education, in both formal and informal environments. Whether through programs such as Research Experience for Undergraduates, GK-12 fellowships, or fellowships for graduate students and post-doctoral researchers, the National Science Foundation provides the resources needed to educate, recruit, and retain our next generation of scientists. National Science Foundation programs provide the support that makes it possible for practicing research scientists and college faculty to mentor and train budding researchers. National Science Foundation science education initiatives are unique and stimulate innovation in teaching and learning about science. The lessons learned and models developed through this research inform Department of Education and local school system programs.

Informal science, technology, engineering, and mathematics programs supported by the Education and Human Resources Directorate also warrant increased funding. Economic growth in the 21st century demands a scientifically aware and technically skilled workforce. Moreover, we live in a time when people are increasingly called upon to make informed decisions about technology and public policy grounded in science. To make informed decisions, citizens must continue to learn about science throughout their lives. Informal science education programs, whether through a

local natural history museum, marine laboratory or other venue, play a central role in educating the public about science. We encourage you to do all you can to support National Science Foundation formal and informal science education initiatives.

Thank you for your past efforts on behalf of the National Science Foundation and for your thoughtful consideration of this request. If you require additional information, please contact Robert Gropp at 202-628-1500.

PREPARED STATEMENT OF OCEANA

Dear Chairman Shelby, ranking member Mikulski, and other subcommittee members: On behalf of the more than 250,000 supporters of Oceana, an international, non-profit conservation organization devoted to protecting ocean waters and wildlife, I submit the following testimony on the fiscal year 2007 budget for the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce. Oceana urges the subcommittee to provide \$4.5 billion for NOAA in the fiscal year 2007 Commerce, Justice, Science, and Related Agencies appropriations bill. More specifically, we urge the subcommittee to fund the following critical ocean research and conservation programs at these recommended levels:

- \$52.0 million for fishery observer programs;
- \$5.0 million for the reducing bycatch initiative;
- \$12.3 million for the national undersea research program (NURP);
- \$82.0 million for marine mammal research and management;
- \$20.0 million for sea turtle research and management; and
- \$8.0 million for National Environmental Policy Act (NEPA) activities in fishery management.

NOAA is the Federal agency with primary responsibility for managing our Nation's coasts and oceans. It has a critical role in promoting sustainable coastal communities and a healthy economy. An investment of \$4.5 billion averages out to \$15 per person annually—a bargain for the fishery management, coral reef protection, undersea research, weather forecasting, nautical mapping, coastal zone management, and ocean education NOAA provides to the Nation.

We are greatly concerned about the impact of the administration's request for a \$227 million cut (–5.8 percent) to NOAA below existing funding levels. The National Marine Fisheries Service is targeted for an \$18 million cut (–2.6 percent) and the National Ocean Service is targeted for a \$99 million cut (–20.1 percent). These steep reductions do not match the recommendations of the Presidentially-appointed United States Commission on Ocean Policy's 2004 final report or the independent Pew Oceans Commission's 2003 report. The commissions emphasized the importance of taking immediate action to conserve ocean and coastal waters, wildlife, and habitats and called for substantial increases in our Nation's investments for ocean research, conservation, and management. We hope you will follow the commissions' advice and strengthen our Nation's commitment to sustainable oceans and coasts. As a significant first step, we urge you to increase funding for the important NOAA programs and activities described below.

Fishery Observer Programs—\$52.0 million.—Oceana recommends that the fiscal year 2007 budget provide \$52.0 million for more effective national and regional observer programs. The information gathered by observers helps track how many fish, marine mammals, sea turtles, sea birds, and other ocean wildlife are caught directly and as bycatch, thereby improving management of our fish populations. According to NMFS, observers are currently deployed to collect fishery dependent data in less than 40 of the Nation's 300 fisheries. Existing coverage levels for many of the fisheries with observers are inadequate. In its final report, the U.S. Commission on Ocean Policy concluded that "accurate, reliable science is critical to the successful management of fisheries" and endorsed the use of observers as key to bycatch reduction efforts.

In recent weeks, the National Marine Fisheries Service announced crippling cuts to the Northeast Fishery Observer program. The number of observers will be reduced from 120 to 25. The number of observer "days at sea" will be slashed from 10,000 in 2005 to approximately 5,000 in 2006. Secretary of Commerce Carlos Gutierrez proposed an emergency rule on March 3 to further restrict New England's groundfish fishery due to last year's stock assessments showing several overfished groundfish populations are continuing to decline. It is obvious more science is needed to monitor New England's fisheries and help spur recovery of fisheries and coastal communities; therefore more observers are required, not less.

Specifically, Oceana recommends \$9.0 million for the national observer program; \$20.0 million for the Northeast observer program; \$7.5 million for the Atlantic Coast observer program; \$5.0 million to establish a Gulf of Mexico/South Atlantic reef fish

observer program and monitor the shark fisheries. We recommend funding other regional fishery observer programs at the administration's request.

Bycatch Reduction—\$5.0 million.—One of the primary issues threatening the future of our fisheries is the catch and subsequent death or injury of unwanted fish and ocean life. Prominent fishery scientists recently completed a thorough examination of fish data and concluded that more than 1 million metric tons of fish and invertebrate bycatch are caught by U.S. commercial fishermen; this bycatch is 28 percent of the total catch. In past years, Congress has provided additional resources to help address bycatch by researching technical solutions, improving outreach, and promoting international improvements in fishing practices. We strongly encourage the subcommittee fund this initiative at \$5.0 million to accelerate bycatch reduction efforts.

National Undersea Research Program—\$12.3 million.—NOAA's Undersea Research program serves the Nation by providing marine scientists with the tools, such as submersibles, remotely operated or autonomous underwater vehicles, mixed gas diving gear, underwater laboratories and observatories, to conduct important research that can help other ocean managers and users. The program helps locate and map areas of deep sea corals that are important for many fish and wildlife populations. Funding in fiscal year 2006 was cut more than 40 percent, halting important marine research. We support the fiscal year 2005 enacted level in help restore the program's vital work.

Marine Mammal Protection—\$82.0 million.—Oceana recommends sustaining the level of funding provided to support marine mammal research and management activities in the fiscal year 2005 budget (\$82.0 million). These funds will help the National Marine Fisheries Service more fully assess and adopt measures to recover depleted and strategic marine mammal species, such as Northern right whales, bottlenose dolphins, pilot whales, and common dolphins. It will also help the agency improve the knowledge of marine mammal populations; currently, the status of more than 200 protected and at-risk marine species is unknown. Activities that will be supported by these funds include funding top priority studies identified by the take reduction teams; designing and implementing take reduction plans for certain depleted marine mammal populations; conducting research on population trends; working on recovery plans; and conducting critical research on marine mammal health and responding to marine mammal die-offs.

Sea Turtle Conservation—\$20.0 million.—Oceana urges the subcommittee to sustain work currently underway on sea turtle research and conservation by providing \$20.0 million to NMFS programs dedicated to protecting sea turtles. All sea turtles found in U.S. waters are officially protected as endangered or threatened. Additional funding will enhance research, recovery, and protection activities for imperiled sea turtle species, including the agency's Atlantic sea turtle bycatch reduction strategy that will examine needed gear modifications for the conservation and recovery of sea turtles.

National Environmental Policy Act (NEPA) Implementation—\$8.0 million.—Oceana supports the administration's request of \$8.0 million to enhance NMFS work in satisfying NEPA requirements. These funds will support NEPA specialists within the agency and in the eight regional fishery management councils and will help build the analytical capability needed to move toward ecosystem-based approaches to management.

I request that this testimony be submitted for the official record. Also, I wish to be considered for any hearing of outside witnesses the committee may call. Thank you for your consideration of these recommendations.

PREPARED STATEMENT OF THE ANIMAL PROTECTION INSTITUTE; BLUE OCEAN INSTITUTE; ENDANGERED SPECIES COALITION; ENVIRONMENTAL DEFENSE; FRIENDS OF THE EARTH; HEART (HELP ENDANGERED ANIMALS—RIDLEY TURTLES); HERPDIGEST; THE HUMANE SOCIETY OF THE U.S.; INTERNATIONAL FUND FOR ANIMAL WELFARE; INTERNATIONAL WILDLIFE COALITION; INWATER RESEARCH GROUP, INC.; THE LEATHERBACK TRUST; LOCAL OCEAN TRUST/WATAMU TURTLE WATCH; MARINE CONSERVATION BIOLOGY INSTITUTE; MARINE CONSERVATION SOCIETY; MARINE RESEARCH FOUNDATION; NATIONAL ENVIRONMENTAL TRUST; THE NATIONAL MARINE LIFE CENTER; NATURAL RESOURCES DEFENSE COUNCIL; OCEANA; OSA SEA TURTLE CONSERVATION PROJECT; THE PEGASUS FOUNDATION; PRETOMA; PRO PENINSULA; PROYECTO TORTUGAS MARINAS; SEAFLOW; SEA SENSE; SEA TURTLES AT RISK; SEA TURTLE RESTORATION PROJECT—TEXAS; SIERRA CLUB; SOUTH CAROLINA AQUARIUM; WHALE AND DOLPHIN CONSERVATION SOCIETY; WIDECAST: WIDER CARIBBEAN SEA TURTLE CONSERVATION NETWORK; THE WILD ANIMAL RESCUE FOUNDATION OF THAILAND; AND WILDLIFE RESCUE AND CONSERVATION ASSOCIATION (ARCAS)

On behalf of the millions of supporters we represent, we urge you to provide \$4.5 billion for the National Oceanic and Atmospheric Administration (NOAA) in the fiscal year 2007 Science, State, Justice and Commerce appropriations bill. Specifically, we encourage the subcommittee to provide \$52.0 million for Fishery Observer programs; \$30.0 million for Fish Stock Assessments; \$82.0 million for Marine Mammal Research and Protection; \$20.0 million for Sea Turtle Conservation; \$60.0 million for the National Marine Sanctuary Program; \$46.2 million for Coral Conservation; \$3.3 million for the Marine Protected Area Center; and \$12.3 million for the National Undersea Research Program. We ask that this letter be included in the official committee record for the fiscal year 2007 appropriations bill.

NOAA is the Federal agency with primary responsibility for managing our Nation's coasts and oceans. It has a critical role in promoting sustainable coastal communities and a healthy economy. An investment of \$4.5 billion averages out to \$15 per person annually—a bargain for the fishery management, coral reef protection, undersea research, weather forecasting, nautical mapping, coastal zone management, and ocean education NOAA provides to the Nation.

In recent years, the presidentially-appointed U.S. Commission on Ocean Policy and the independent Pew Oceans Commission identified major challenges to ensure a future with healthy and abundant oceans. Both commissions called for significant and immediate increased investments in ocean, coastal and Great Lakes research, management, and conservation in order to ensure these vital ecosystems recover and can fully contribute to our Nation's economy and well-being. Now, it is time for Congress to demonstrate its commitment to NOAA programs and provide sufficient funding to fully confront the challenges ahead.

Last month, a number of national groups produced a report, *Green Budget: Fiscal Year 2007 National Funding Priorities for the Environment*. The full report, which included several NOAA programs in addition to the ones highlighted in this letter, can be found at www.saveourevironment.org. We call upon your leadership to increase funding for these following priority research and conservation activities and programs at the recommended levels.

NATIONAL MARINE FISHERIES SERVICE

Fishery Research—Fishery Observer Program—\$52.0 million. Fish Stock Assessments—\$30.0 million.—The information gathered by observers helps track how many fish, marine mammals, sea turtles, sea birds and other ocean wildlife are caught directly and as bycatch, thereby providing data to improve management of our fish populations. In its final report, the U.S. Commission on Ocean Policy concluded that “accurate, reliable science is critical to successful management of fisheries” and endorsed the use of observers as key to bycatch reduction efforts. According to the National Marine Fisheries Service, observers are currently deployed to collect fishery data in approximately 40 of the Nation's 300 fisheries.

In addition to the need for more data about what is caught, fishery managers would benefit from more complete information about the fish populations they oversee. Almost two-thirds of the Nation's fish populations lack basic information to determine their status; there are 56 “major” stocks where the information about their status is classified as “unknown.” Additional resources would allow the National Marine Fisheries Service to hire additional biologists to produce annual stock assessments, fund necessary charter days at sea to collect data, and significantly reduce the number of fish stocks with unknown status.

Protected Species Research and Conservation—Marine Mammal Research and Protection—\$82.0 million. Sea Turtle Conservation—\$20.0 million.—The National Ma-

rine Fisheries Service needs resources to more fully assess and adopt measures to recover depleted marine mammal species, such as North Atlantic right whales (whose population is estimated to be less than 300), bottlenose dolphins, pilot whales, and common dolphins. In addition, the status of more than 200 protected and at-risk marine species is unknown. Increased funds will help NOAA complete top priority studies identified by the take reduction teams; consult with other agencies and ocean users on activities that may affect endangered marine mammals; design and implement take reduction plans for certain depleted marine mammal populations; conduct research on population trends; and respond to marine mammal die offs.

All sea turtles in U.S. waters are officially listed as endangered or threatened species by the Endangered Species Act. Increased investments will help fund sea turtle research, recovery, and protection activities for imperiled sea turtles, including NMFS' Atlantic sea turtle bycatch reduction strategy that examines needed fishing gear modifications for enhanced conservation.

NATIONAL OCEAN SERVICE

National Marine Sanctuary Program—\$60.0 million.—The National Marine Sanctuary program manages 13 sanctuaries that encompass more than 18,000 square miles of our Nation's most diverse marine ecosystems. A 14th sanctuary for the Northwestern Hawaiian Islands is now in the process of designation. The program helps protect resources such as the coral reefs and mangrove forests off the Florida Keys, the tide pools and kelp forests along the Olympic Coast, and habitat for endangered humpback and northern right whales. The proposed Northwestern Hawaiian Islands sanctuary, expected to be designated in 2007, will require new financial commitments. Meanwhile, Congress has indicated its desire to see better resource inventories and management of existing sanctuaries before it will approve any further designations. This requirement can only be solved by enhanced appropriations.

Coral Conservation—\$46.2 million (\$31.2 million for tropical corals and \$15.0 million for deep sea corals).—Tropical reefs are often called the rainforests of the ocean because of the amount of rich biodiversity that these living reefs provide. Sensitive to human and environmental factors, these slow-growing reef systems need to be conserved for the health of our oceans. Corals reef systems are also found on the deep sea floor. These corals provide shelter for marine animals, protection from predators, nurseries for young fish, feeding areas, and spawning areas. Tropical and cold-water corals are subject to many threats, including damaging fishing practices, land-based pollution, and vessel strikes. Additional resources to improve coral management are needed to halt further coral destruction.

Marine Protected Area Center—\$3.3 million.—The National Marine Protected Area Center was created to develop the framework for a national system of marine protected areas (MPAs), support cooperative efforts, and provide technical and scientific support to improve MPA stewardship and effectiveness. Cuts in previous budgets have significantly reduced the center's work. This spring, the national MPA System Framework document should be published. Increased investments are needed to ensure that regional coordinators in Massachusetts and California and additional scientific and outreach staff are retained to continue the substantial collaborative work necessary to properly shape a proposed national system of MPAs.

RESEARCH

National Undersea Research Program—\$12.3 million.—NOAA's Undersea Research program serves the Nation by providing marine scientists with the tools, such as submersibles, remotely operated or autonomous underwater vehicles, mixed gas diving gear, underwater laboratories and observatories, to conduct important research that can help other ocean managers and users. Funding in fiscal year 2006 was cut more than 40 percent, halting important marine research. We support the fiscal year 2005 enacted level in order to ensure that vital undersea research continues.

Finally, we urge you to reject adding anti-environmental riders in this and other bills. If you have any questions, please contact Ted Morton, Oceana's Federal Policy Director at 202-833-3900. Thank you for considering our views.

PREPARED STATEMENT OF THE UNIVERSITY CORPORATION FOR ATMOSPHERIC RESEARCH

On behalf of the University Corporation for Atmospheric Research (UCAR) and the university community involved in weather and climate research and related

education, training and support activities, I submit this written testimony for the record of the Senate Committee on Appropriations, Subcommittee on Commerce, Justice and Science. UCAR is a 69-university member consortium that manages and operates the National Center for Atmospheric Research (NCAR) and additional programs that support and extend the country's scientific research and education capabilities. UCAR is supported principally by the National Science Foundation (NSF) and by other Federal agencies including the National Aeronautics and Space Administration (NASA), and the National Oceanic and Atmospheric Administration (NOAA).

The atmospheric sciences community strongly supports the President's American Competitiveness Initiative (ACI), an investment that we believe will pay great dividends for this country if it is sustained as planned over the next 10 years. In the President's budget request for fiscal year 2007, NSF is one of the critical agencies in line for ACI increases intended to double the physical sciences research budget by 2016. This is a necessary first step in any initiative that seeks to strengthen this Nation's economic competitiveness. However, the strength of the country's R&D investment is a result of multiple agencies playing multiple, complementary and interlocking roles. We believe that the science missions of NASA and NOAA, in addition to NSF, are critical to the health and well-being of this country. We look forward to the ACI developing rapidly to shore up and strengthen the physical sciences supported by all three of the major science mission agencies within your jurisdiction.

National Science Foundation (NSF)

NSF plays a unique role among all Federal agencies. In achieving its goal to develop new knowledge to meet societal needs and improve quality of life, NSF strengthens the ability of the country to create new ideas; develop new technologies; create a diverse, knowledgeable workforce; and set new standards that challenge any boundaries of invention and intellect. These are all key components of our capacity to compete globally in the 21st Century and are fundamental drivers of wealth-producing growth and job creation. The NSF budget request states that the ACI investment in NSF—a commitment to double the NSF research budget over 10 years—is being made “in order to sustain a robust, competitive, and productive America.” The UCAR community takes great pride in this national priority and supports to the fullest extent possible the ACI focus on NSF. I urge the committee to support the President's overall request of \$6.02 billion for the National Science Foundation and, within NSF, the request of \$4.66 billion for Research and Related Activities (R&RA), the heart of NSF's scientific enterprise. In addition, I urge the committee to support the administration's goal of doubling the research budget of NSF over the course of a decade, finally realizing the promise of the National Science Foundation Authorization Act of 2002.

Geosciences Directorate (GEO).—Within R&RA, GEO is the principal source of federal funding for university-based basic research in the geosciences, providing about 68 percent of the total federal support in these areas. The fiscal year 2007 increase for GEO includes aggressive investment in cyberinfrastructure, without which discoveries in the geosciences simply will not be able to advance at a competitive rate; and additional investment in the interagency Climate Change Science program in activities focused on understanding past climate variability, the advancement of knowledge about the carbon and nitrogen cycles, and the continued development of computational models of Earth system processes. I urge the committee to support the President's request of \$744.85 million for the Geosciences Directorate and, within GEO, to provide the President's request of \$226.85 million for the Atmospheric Sciences Division which provides resources for the atmospheric sciences community that are critical to the physical safety of our citizens, our economic health, and global issues of national security relevance such as severe weather, climate change, the security of our communications infrastructure, and the environmental health of the planet.

Office of Cyberinfrastructure.—Given the requirements of modern research, leading-edge progress that results in societal benefits cannot be realized without the acquisition, development and operation of state-of-the-art cyberinfrastructure services including ever-improving supercomputers, high-capacity mass-storage systems, and an ever-expanding suite of software tools. NSF promises to accomplish much in this area with the creation of the Office of Cyberinfrastructure. I urge the committee to support the President's fiscal year 2007 request of \$182.42 million for the Office of Cyberinfrastructure which includes \$50.0 million for the all-important achievement of petascale performance for application to important science and engineering problems.

Education and Human Resources (EHR) Directorate.—Key to the success of the administration's ACI efforts is the improvement of math and science education in

this country. It is therefore disappointing to see the EHR funding request for fiscal year 2007 decline in certain areas and not keep pace with inflation overall. We believe that the strengthening of science education, so critical to the Nation's future, must be intimately connected with the best scientific practices and results being produced via the NSF scientific directorates. While we realize that the EHR request strengthens collaborations that aid in addressing workforce needs, we hope that other areas of the budget do not indicate a shrinking NSF influence in the classroom. Of some encouragement is the recognition in the request of the value of digital libraries to teachers and students. Within the Division of Undergraduate Education (DUE), the National Science Digital Library (NSDL) receives a small increase. The value of this program continues to rise as its capacity to bring first-rate education tools into the classroom is broadened and enhanced. I urge the committee to provide as healthy an increase as possible for the Education and Human Resources Directorate so that it may play its rightful, critical role in achieving ACI goals.

National Aeronautics and Space Administration (NASA)

NASA's Science Mission Directorate (SMD) plays a unique and central role in our Nation's ability to attract students into science and engineering fields, and to understand the universe, our own planet's environmental complexities and its relationship to the Sun, and major factors contributing to climate change. Despite this essential role, NASA's fiscal year 2007 Federal budget request would curtail long-term growth in the science portfolio, defer or eliminate many of the Nation's most successful and promising missions, and fund only a relatively small number of scientific missions (albeit promising ones) in the next 5 to 10 years. While the manned program is incredibly important, it cannot come at the complete expense of this critical investment.

Within SMD, NASA plays a unique and central role in the study of the complexities of the Earth system and the equally complex relationship of the Sun to Earth through the Earth-Sun System. NASA's investment in Earth Science Research and Analysis (R&A) and the missions and tools associated with this research makes possible the study of Earth from space providing data that simply are not available from any other Federal agencies. These observations, used in research and in the construction of computer models to predict weather, climate, and natural hazards, provide a critical basis from which our understanding of our planet evolves and on which informed policy decisions, both long term and emergency response, can be made. Given the tremendous importance of this underlying activity, the R&A analysis programs should continue to receive robust funding levels at least commensurate with fiscal year 2006 levels.

In addition to investments in Earth-Sun System, NASA must preserve the essential PI-led programs that serve as a primary conduit through which the Nation's best scientists can engage NASA in cutting-edge problems. NASA should support the Explorer, Discovery, and New Frontier programs and fully commit to missions unless there are technical or cost related issues. When NASA promotes premature termination of those missions for non-technical or cost reasons, it is in danger of sending the message to the community that it is an unreliable partner and that this is not a field that future scientists and engineers should pursue. Moreover, balanced, highly skilled teams of talent are lost, as are discoveries on the immediate horizon.

While the exploration initiative and International Space Station are of great human interest and of scientific value, we are far from unlocking all the mysteries of our own planet. NASA programs that are in progress and others that are yet to be implemented will enable us to protect space vehicles, astronauts, and satellites from the devastating radiation of solar storms; mitigate some of the property damage and prevent some of the deaths caused by severe weather; and help us to mitigate, understand, and cope with the inevitable effects of natural and human-induced climate change. These programs are critical to the health of our economy, to the health of the Earth, and to our national security. As the administration's new vision for U.S. space exploration unfolds, I urge the committee to protect the vibrant NASA science accounts and missions, current and planned, that make possible the study of our own planet and the environment that sustains life on Earth.

National Oceanic and Atmospheric Administration (NOAA)

NOAA's importance to the Nation was made glaringly evident to the world as Hurricane Katrina bore down on the Gulf Coast last fall. Without the R&D and operations behind the accurate forecasts and warnings that moved tens of thousands of people out of the region, the number of deaths caused directly by the storm would have been catastrophic. This is just one example of the manner in which NOAA

data, research, and services contribute to the Nation's security, economy, environment, and quality of life, yet NOAA hurricane forecast R&D is also just one example of areas severely under funded in the request for fiscal year 2007. NOAA provides a critical link for this Nation between research results, research applications, technology development, and operations, yet NOAA's overall budget request is 5.8 percent below the fiscal year 2006 Enacted Budget. For NOAA to address all areas of concern and priority that have been identified by Congress, and to restore core funding that has decreased in recent years, I urge the committee to fund NOAA at \$4.5 billion for fiscal year 2007 and to do so while maintaining vital, enhanced support for other portions of the subcommittee's research and development portfolio.

National Weather Service (NWS).—The fiscal year 2007 NWS request eases some of the extremely difficult pay raise pressures that were squeezing NWS operations to the breaking point. In recent years, NWS has assumed responsibility for several programs such as the Space Environment Center (SEC), the U.S. Weather Research Program (USWRP), and the Wind Profilers. None has fared particularly well. SEC, the Nation's official source of space weather alerts and solar radiation warnings, was cut in fiscal year 2006 from just over \$7 million to less than \$4 million. USWRP has not been able to adequately keep up with our international obligation to fund THORPEX, and has not yet implemented planned national activities for this international research program designed to accelerate improvements in the accuracy of 1-to-14 day weather forecasts with deliverables such as improving disaster mitigation/response and increasing economic efficiency. The staff of the NOAA Profiler Network, 35 Doppler Radar sites that provide vital vertical wind profile data, has been cut back to the point that reliability and urgently required upgrades are severely compromised. The fiscal year 2007 NWS request will allow these and other critical programs such as AWIPS and Local Warnings and Forecasts to barely meet minimum requirements. I urge the committee to do everything possible to fund the President's entire request of \$881.86 million for the National Weather Service, a line office that provides the most critical of activities for policy makers, stakeholders, and citizens.

Office of Oceanic and Atmospheric Research (OAR).—OAR conducts research and technology development that are the underpinnings for NOAA operations. If the requested amount is appropriated, OAR would receive a small increase to its base funding for fiscal year 2007, some of which will keep the Nation on track with its contribution to the international commitment of completing the ocean climate observing system by 2010. This is a high priority component within this country's obligation to the construction of the international Global Earth Observation System of Systems (GEOSS). In addition, the increase will support drought impact research through the National Integrated Drought Information System (NIDIS) and develop new data sets that will enhance operational climate prediction. Also within OAR, the Hurricane Research Division (HRD) works to improve the Nation's hurricane forecasts for both path and intensity. This is an activity the importance of which is obvious, post-Katrina, yet HRD funding, modest to begin with, is cut by over \$1.0 million in the fiscal year 2007 request. I urge the committee to support the foundational research, technology development, and international commitments represented by the fiscal year 2007 request of \$348.6 million for the Office of Oceanic and Atmospheric Research and to shore up funding for obviously critical research areas such as hurricane forecasts.

National Environmental Satellite, Data and Information Service (NESDIS).—NESDIS is responsible for managing all aspects of the remotely gathered environmental data that form the basis for environmental research meeting the needs of policy makers and users. The fiscal year 2007 request provides a badly needed increase to cover basic operations and to provide additional funding for data archiving, and access and assessment activities at the NOAA National Data Centers which serve over 50,000 users annually. I urge the committee to support the President's fiscal year 2007 request of \$1,033.8 million for NESDIS.

On behalf of the UCAR community, I want to thank the committee for your stewardship of the Nation's scientific enterprise and your understanding that the future strength of the Nation depends on the investments we make in science and technology today.

PREPARED STATEMENT OF THE TOWN OF BRUNSWICK, MAINE

On behalf of the Town of Brunswick, I appreciate the opportunity to present this testimony in support of an appropriation of \$1.45 million from NOAA's Coastal and Estuarine Land Conservation Program for the Maquoit Bay project in southern Maine.

Located in coastal Cumberland County, Brunswick is the sixth largest community in the State and the largest in the mid-coast region. The popularity of our downtown, the presence of Bowdoin College, and excellent public educational and recreational opportunities all contribute to the attractiveness of Brunswick. Over the past 15 years our town has experienced rapid residential growth resulting in the construction of approximately 1,200 new homes. This growth underscores the need to conserve key, ecologically significant, properties while the opportunity still exists. Successful completion of the Maquoit Bay project will forever preserve our community's traditional ties to Casco Bay by maintaining public access and forever reminding our citizens of their place in the watershed.

While the Casco Bay watershed represents only 3 percent of Maine's total landmass, it holds nearly 25 percent of the State's population. The bay supports many industries such as shipping, commercial fishing, and shellfishing, as well as tourism and other recreational activities all of which are critical to the economic vitality of Maine. The Casco Bay Plan, developed to prevent further degradation of the bay and restore its health, focuses on five key issues of importance to the health of the bay: stormwater management, clam flats and swimming areas, habitat protection, toxic pollution, and stewardship.

Maquoit Bay, which is at the northwestern end of Casco Bay, is a shallow 5-square-mile embayment and includes the best commercial clamming flats in southern Maine. The Town of Brunswick, in which the entire bay is located, has adopted a Coastal Protection District zoning ordinance to limit development within the Maquoit watershed in an attempt to slow deterioration of the bay. The U.S. Fish and Wildlife Service has identified the northern end of Maquoit Bay as the most important habitat area in Casco Bay for all species studied, including the eider, brant, Canada goose, eelgrass, common loon, horseshoe crab, and the black duck.

Available for immediate protection is the 170-acre Maquoit Bay property, which constitutes fully one-quarter of the northern end of the bay and is one of the last undeveloped sites on Brunswick's entire coastline. Very little of the town's 66 miles of coastline is open to public access, and the town has made improving water access one of its top priorities. This property has almost a mile of salt water frontage on the bay and if protected will nearly double the town's current public access to the water.

The property available for conservation this year comprises a substantial portion of a larger 222-acre forest block, identified as a priority for conservation by the Rural Brunswick Smart Growth Plan. There are also three freshwater streams on the tract and a unique rocky promontory that provides spectacular views of Casco Bay and its islands and great swimming access to the warm shallow bay. With nearly a mile of trails for walking and cross-country skiing, and canoe and kayak access to Maquoit Bay and Casco Bay, this property has great recreational value to the townspeople as well as other Maine residents and visitors seeking access to coastal waters.

Conservation of this relatively large unfragmented forested habitat on Maquoit Bay will help achieve the goals of the larger Casco Bay protection effort, enhance existing conserved properties up the watershed, and assist Brunswick in providing additional public access to the waterfront for its residents and many visitors.

The landowners are offering the property for conservation but only for a very limited time. In fiscal year 2006, Congress appropriated \$550,000 towards this project, which is strongly supported by the Brunswick Town Council and has been endorsed by the Maine Coastal Program, a division of the State Planning Office. An appropriation of \$1.45 million from NOAA's Coastal and Estuarine Land Conservation Program (CELCP) in fiscal year 2007 is needed to complete this critical coastal protection effort in the Casco Bay watershed. These federal funds will be matched by a State grant, land value donation and the value of other conserved lands within the Maquoit Bay watershed.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF THE ST. SIMONS LAND TRUST

Mr. Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program for a conservation easement on Little St. Simons Island in Brunswick, Georgia.

The St. Simons Land Trust is a non-profit organization dedicated to protecting St. Simons natural and scenic character so that residents, visitors, and generations to come can share and enjoy this precious jewel of nature. The trust has worked to

protect lands since its formation in 2000 by working with caring landowners, county government, and our dedicated membership of over 2,000 families.

The 100 miles of Georgia coastline from Savannah to St. Marys is a diverse ecosystem of estuaries, salt marshes, wetlands, barrier islands, and beaches. The Georgia coast is also home to a number of historic forts and sites from colonial, antebellum, and Civil War periods. In recognition of the ecological and historical significance of the State's coast, Congress, Georgia, and private organizations have created a number of parks, monuments, wildlife refuges, historic sites, and reserves that conserve these special coastal resources.

Of the dozen or so larger barrier islands along the Georgia coast, Little St. Simons Island is one of the last that remains substantially undeveloped and unprotected. This year there is an opportunity to acquire a conservation easement on the entirety of Little St. Simons Island in Glynn County. The island consists of 12,500 acres of land along 7 miles of Atlantic Ocean beachfront. Of the total acreage, approximately 2,500 acres are high ground; the rest is tidal salt marsh. Little St. Simons Island is about 10 miles northeast of the town of Brunswick.

Little St. Simons Island contains a variety of pristine ecosystems that provide habitat for migratory birds unique to the Atlantic coastline. Little St. Simons Island and parts of three other islands in the area were designated the Altamaha River Delta Reserve under the Western Hemisphere Shorebird Reserve Network, an international voluntary conservation system. This barrier island was also recognized by the American Bird Conservancy as one of the top 500 important bird areas in the United States. The marshlands provide habitat for waterfowl, migratory birds, and American alligators. The island is also a habitat for several endangered and threatened species, including the loggerhead sea turtle, the piping plover, and the wood stork.

Little St. Simons Island contains significant historical and cultural resources. Of the several historic structures still remaining on the island, one of the most important is an eighteenth-century house built by Samuel Augspurger, a surveyor and engineer to General James Oglethorpe, the founder of the Georgia colony. Augspurger also supervised the design and construction of Fort Frederica on St. Simons Island, which has been preserved as a national monument since 1936. Little St. Simons is thought to have potentially rich archaeological and cultural resources relating to Native Americans and European settlers.

Under the proposed conservation easement, the island will remain privately owned. The easement will be held by the City of Brunswick and will be monitored by the St. Simons Land Trust. Public access to the island will be available through overnight and day-trip guest programs, with ecological study programs for university scholars and naturalists. The owners intend to establish an education and research foundation to be endowed by a portion of the proceeds from the sale of the easement. In addition to researchers, school groups will be able to visit the island on a limited basis.

Unless the island is permanently protected, Little St. Simons Islands' pristine natural resources will be at risk, as the island is currently zoned for development. As nearby communities and developed barrier islands grow, the conservation of Little St. Simons Island will not only preserve open space and beachfront, but will also reduce the potential damage and costs from storms and hurricanes.

The community in Brunswick and St. Simons Island supports the conservation easement. The state of Georgia has submitted this project to NOAA as its top CELCP priority for fiscal year 2007. The \$3 million appropriation from the Coastal and Estuarine Land Conservation program will be matched by \$27.75 million in other public and privately raised funds.

Acquisition of this conservation easement is critical to protecting thousands of acres of marshlands and one of the last stretches of undeveloped and unspoiled beachfront on Georgia's Atlantic coastline.

Thank you, Mr. Chairman for the opportunity to present this testimony in support of the \$3 million CELCP appropriation for Little St. Simons Island, and for your consideration of the request.

PREPARED STATEMENT OF THE PROTECTORS OF PINE OAK WOODS

Protectors of Pine Oak Woods, a conservation organization representing 2,300 environmentally conscious Staten Islanders, appreciates this opportunity to testify in support of appropriating \$3 million from NOAA's Coastal and Estuarine Land Conservation program for the preservation of Long Pond/Butler Woods in New York.

The southern coast of Staten Island, facing the open waters of the Atlantic Ocean and Sandy Hook in New Jersey southeast over the Raritan Bay, is an important

natural and recreational resource for the residents of the metropolitan New York City Area. To conserve this shoreland, hundreds of acres have been protected as Federal, State, and local government parks such as Gateway National Recreational Area in New York and New Jersey, Mount Loretto Unique Area, Wolfe's Pond Park, and Conference House Park. These parks lie on the northern shore of Raritan Bay, a significant estuary between New York and New Jersey.

New York/New Jersey's Raritan Bay, with Staten Island to the north and Middlesex and Monmouth counties to the south, is the largest component of the Hudson River-Raritan Estuary system. It is part of the New York-New Jersey Harbor Estuary program, one of 28 federally recognized estuaries of national importance. Raritan Bay was historically one of the richest fisheries in the Nation prior to over-fishing and a reduction of water quality due to silt and other pollution which have impacted fish stocks in recent decades. The harbor, where commerce, industry, and nature confront one another, has, considering its overlying urban/industrial matrix, large amounts of upland and wetland open space and an unexpectedly high degree of biological diversity. The wetlands, marshes, flats, and coastal and riparian corridors in both New York and New Jersey serve as prime habitats for fish, terrapin, amphibians, and shorebirds, while migratory birds use these same areas for habitat and stopovers to replenish the energies needed to continue their journeys. In this part of Raritan Bay land conservation has been used as a primary tool for wildlife protection and to improve water control and quality; it is the site of extensive habitat and storm water management Bluebelts established by The New York City Department of Environmental Protection.

Two parcels totaling 80 acres near the Princes Bay section of Staten Island are available for acquisition in fiscal year 2007. These are collectively referred to as Long Pond/Butler Woods. The largest parcel, known as the North Mount Loretto Woods, comprises 75 acres of forest and wetlands lying between Hylan Boulevard and the Pleasant Plains Station of the Staten Island Railway. This property contains wetlands that provide flood protection, stormwater control, wildlife habitat, and open space for residents. More than half of the property contains wetlands within the Mill Creek watershed and provides watershed protection. The smaller parcel, known as the Camp St. Edward property, is a 5-acre triangular property on the shore of Raritan Bay. Currently undeveloped, it extends south of Hylan Boulevard along 800 feet of shoreland, and is adjacent to the only natural red clay bluffs in the New York City area.

Both of these properties have been identified as high priority conservation projects in the New York State Open Space Conservation Plan of 2005, a plan which includes the New York-New Jersey Harbor Estuary program and the State plans for the Coastal and Estuarine Land Conservation program. Together the properties offer opportunities to conserve important recreation and open space for residents and other users. Enhancing their value are several existing conserved properties that surround the parcels, including the Mill Creek Bluebelt site immediately to the north of the North Mount Loretto Woods parcel; Long Pond Park Natural Area which contains forest, swamp, and freshwater ponds; Lemon Creek on the bay itself; Bloesser's Pond; Arden Heights Woods; and the Mount Loretto Unique area, an adjacent 145-acre tract of grasslands and bluff fronting the bay that was conserved in 1998.

In order to conserve the Long Pond/Butler Woods parcels, an appropriation of \$3 million from the Coastal and Estuarine Land Conservation program is needed in fiscal year 2007. A federal contribution would be matched by \$11.5 million in non-federal funds, very nearly a one-to-four ratio. Once conserved, the properties would be managed by the New York State Department of Environmental Conservation. Both properties are highly vulnerable for development given their location in the metropolitan area, and other parcels in the immediate area have been purchased and developed for residential use within the past year. Conservation of these two properties will ensure the protection of important coastal wetlands and the availability of open space, recreational opportunity, and public access to the shore of Raritan Bay. Therefore protectors of Pine Oak Woods urges the inclusion of funding for this project in the fiscal year 2007 Commerce, Justice, and Science appropriations bill. We thank the subcommittee for this opportunity to present testimony, and for consideration of this important request.

PREPARED STATEMENT OF THE AMERICAN PUBLIC POWER ASSOCIATION

The American Public Power Association (APPA) is the national service organization representing the interests of over 2,000 municipal and other State and locally owned utilities in 49 of the 50 States (all but Hawaii). Collectively, public power

utilities deliver electricity to one of every seven electric consumers (approximately 43 million people), serving some of the Nation's largest cities. However, the vast majority of APPA's members serve communities with populations of 10,000 people or less.

The Department of Justice's (DOJ) Antitrust Division and the Federal Trade Commission (FTC) play critical roles in monitoring and enforcing antitrust laws affecting the electric utility industry. With the repeal of the Public Utility Holding Company Act (PUHCA) included in the Energy Policy Act of 2005, the electric utility industry is experiencing an increase in mergers that, if approved, could result in increased market power in certain regions. This development coupled with the volatility and uncertainty continuing to occur in wholesale electricity markets, make the oversight provided by DOJ and the FTC more critical than ever.

APPA supports adequate funding for staffing antitrust enforcement and oversight at the FTC and DOJ. Specifically, we support the administration's request of \$223 million for fiscal year 2007 for the FTC. We are heartened that the downward trend in funding for the DOJ's Antitrust Division over several years has been reversed, and are pleased with the administration's request of \$147.7 million for fiscal year 2007.

We appreciate the opportunity to submit this statement outlining our fiscal year 2007 funding priorities within the Commerce, Justice and Science subcommittee's jurisdiction.

PREPARED STATEMENT OF THE CALIFORNIA STATE COASTAL CONSERVANCY

SUMMARY

The following testimony is in support of the California State Coastal Conservancy's fiscal year 2007 Science, Justice, Commerce, and Related Agencies appropriations request. The Conservancy respectfully requests needed funding for the following critical projects: \$5.5 million for the acquisition of Piedras Blancas, the Santa Clara River Parkway and the Jenner Headlands under the National Oceanic and Atmospheric Administration's (NOAA) Coastal and Estuarine Land Conservation Program.

CONSERVANCY BACKGROUND

The California Coastal Conservancy, established in 1976, is a State agency that uses entrepreneurial techniques to purchase, protect, restore, and enhance coastal resources, and to provide access to the shore. We work in partnership with local governments, other public agencies, nonprofit organizations, and private landowners.

To date, the Conservancy has undertaken more than 950 projects along the 1,100 mile California coastline and around San Francisco Bay. Through such projects, the Conservancy protects and improves coastal wetlands, streams, and watersheds; works with local communities to revitalize urban waterfronts; assists local communities in solving complex land-use problems and protects agricultural lands and supports coastal agriculture to list a few of our activities.

Since its establishment in 1976, the Coastal Conservancy has helped build more than 300 access ways and trails, thus opening more than 80 miles of coastal and bay lands for public use; assisted in the completion of over 100 urban waterfront projects; joined in partnership endeavors with more than 100 local land trusts and other nonprofit groups, making local community involvement an integral part of the Coastal Conservancy's work and completed projects in every coastal county and all nine San Francisco Bay Area counties. In addition, we currently have over 300 active projects that are benefiting the citizens of California.

Fiscal Year 2007 Coastal and Estuarine Land Conservation Projects

The Coastal and Estuarine Land Conservation program is the only federal program directly supporting public land acquisitions necessary to implement the State's federally-mandated Coastal Management program. California has coastal land acquisition needs for public recreation and habitat conservation much greater than available State and local funds, and the public strongly supports preservation of coastal resource lands. The CELCP is strongly supported by nonprofit conservation organizations and by the Coastal States Organization.

In fiscal year 2007, we are seeking \$1,500,000 for the acquisition of the Piedras Blancas property. The Piedras Blancas project will purchase 18 acres of coastal property in San Luis Obispo County. It is nestled within the Hearst Ranch, which covers 128 square miles and includes 18 miles of coastline. In early 2005, the State of California protected 82,000 acres of the Hearst Ranch through a conservation

easement and fee title acquisition. This conservation endeavor transferred fee title of 13 miles of rugged, undeveloped coastline to California State Parks. The Piedras Blancas property is the last remaining privately held parcel west of Highway 1 within the 18-mile stretch of Hearst Ranch. This project will allow the California Department of Parks and Recreation to complete acquisition of this missing half mile of coast and will offer immediate safe public access to the coastal bluffs, trails, and beaches that exist on the property.

We also respectfully request \$1,000,000 in funding for the acquisition of land to complete the Santa Clara River Estuary Project. The project will protect disappearing riparian and wetland habitats through acquisitions of fee title and/or conservation easement in and around the river's estuary. This project complements a 5-year ongoing effort by the California State Coastal Conservancy (SCC) and The Nature Conservancy (TNC) to create the Santa Clara River Parkway by acquiring and protecting properties along the river. To date, the Coastal Conservancy and The Nature Conservancy have acquired 14 riverside properties totaling more than 2,300 acres. The project will also expand McGrath Beach State Park and the Santa Clara River Estuary Natural Preserve.

The \$1 million requested from the Coastal and Estuarine Land Conservation Program (CELCP) will be matched by the McGrath State Beach Trustee Council (Trustee Council), the SCC, and TNC. The Trustee Council will contribute up to \$500,000 from a \$1,315,000 State trust account resulting from mitigation of the 1993 Berry Petroleum Company oil spill in the vicinity of McGrath Lake. The trustees are the California Department of Fish and Game (CDFG), California Department of Parks and Recreation (State Parks), and U.S. Fish and Wildlife Service (USFWS). SCC will contribute at least \$500,000 toward land protection in the project area. Needs in excess of the projected \$2 million will be met by SCC and The Nature Conservancy.

This project is part of a larger ecological conservation project that includes the entire Santa Clara River, its estuary, and beach and marsh habitat along the Ventura County coastline. A number of local, State, and federal agencies as well as non-profit organizations and local citizens' groups are cooperating to make this work successful.

Finally, we respectfully request the inclusion of \$3,000,000 in funding for the acquisition of the Jenner Headlands. Acquisition of the Jenner Headlands represents the most significant opportunity along the Sonoma Coast to protect an important area with unique and diverse conservation, recreation, ecological and aesthetic values. This 5,630-acre property is threatened by conversion to rural residential development, placing its extraordinary resources in peril. This acquisition is a critical link in completing a 30-mile long conservation corridor from Bodega Head to Fort Ross.

Much of the property is designated as Significant Natural Area by the California Department of Fish and Game (CDFG), and contains numerous and diverse habitat types, including riparian corridors suitable for Coho rearing. Jenner Gulch, Russian Gulch, Austin Creek and Sheephouse Creek, whose watersheds are within this property, are anadromous fish streams, the latter being one of three locations of CDFG's Coho salmon re-introduction program. Jenner Gulch is also the water source for the 170 residents of Jenner. The complex mosaic of habitats that exist in this site provides a vast, contiguous region for resident and nonresident fish and wildlife species. In addition to the abundant common animal species, identified species of special concern located on the property include northern spotted owl, red tree vole, bank swallow, steelhead, and Coho salmon.

This property also offers exceptional new recreational opportunities as well as opportunities to improve existing access to the shore. As part of Sonoma Coast State Beach, California Department of Parks and Recreation (CDPR) owns the land adjacent to Jenner Headlands and west of Highway 1 from Russian Gulch almost to Jenner. Access to this narrow coastal terrace with bluffs surrounding unnamed coves is limited. Many of the trails are hazardous and the existing use is eroding the bluffs. The acquisition of Jenner Headlands will provide a safer and more scenic coastal trail route along the approximate 2.5 miles between Russian Gulch and Jenner.

The property owners are currently processing certificates of compliance, which, when approved, will allow them to fragment the property into 44 separate parcels without any further local subdivision approval requirements. The intense demand for home sites on the California coast practically guarantees that this property will be developed unless it is acquired for the benefit of the public.

PREPARED STATEMENT OF THE ASSOCIATION OF SMALL BUSINESS DEVELOPMENT
CENTERS

The Association of Small Business Development Centers (ASBDC) urges the subcommittee on Commerce, Justice, Science and Related Agencies to provide an appropriation of \$110 million for the Small Business Administration's Small Business Development Center (SBDC) grant program in the fiscal year 2007 appropriations bill. A fiscal year 2007 Federal funding level of \$110 million for the nationwide SBDC network will restore Federal funding lost to most State and regional SBDC networks across the Nation as a result of inflation in recent years.

A Federal funding level of \$110 million for the nationwide SBDC network is the level of funding provided for in the bi-partisan Snowe-Kerry-Vitter-Landrieu-Talent amendment that passed the Senate on September 15, 2005, by a vote of 96-0, during consideration of the fiscal year 2006 S-S-J-C appropriations bill. This is also the funding level provided for in the bi-partisan Snowe-Kerry-Vitter-Coleman-Nelson (of Florida)-Landrieu-Lieberman-Levin amendment to the fiscal year 2007 Budget Resolution adopted by the Senate on March 16 of this year; and it is the funding level requested by every member of the Senate Committee on Small Business and Entrepreneurship in a letter to the chairman and ranking member of the C-J-S Appropriations subcommittee on April 7.

The table below shows how much each State and regional SBDC network has lost in the value of its annual Federal SBDC funding in recent years as a result of inflation. Without an increase in Federal funding for the nationwide SBDC network, Federal SBDC funding for the average States SBDC network will be approximately \$250,000 (19 percent) less in fiscal year 2007 than it was in the year of the last Federal funding increase, in inflation-adjusted dollars. For many State and regional SBDC networks, the loss of Federal funding due to inflation will be even more severe. For example, SBDC networks in small-population States, which have not had an increase in their Federal SBDC funding since 1998, will receive approximately 25 percent less Federal funding in fiscal year 2007 than in fiscal year 1998, after adjusting for inflation. And now the proposed SBA Budget calls for cutting Federal funding for the nationwide SBDC network even further—by \$743,00 (from \$87,863,000 in fiscal year 2006 to \$87,120,000 in fiscal year 2007).

The immediate result of declining real Federal funding for the Nation's SBDC network has been a decline in the number of hours that SBDC business counselors can spend with small businesses and aspiring entrepreneurs. Between 2003 and 2005 (the most recent year for which statistics are available), the number of hours that SBDC business counselors could spend with small businesses and aspiring entrepreneurs declined by 224,844 (from 1,566,243 in fiscal year 2003 to 1,341,399 in fiscal year 2005). The tragedy is that, as fewer small business owners and aspiring entrepreneurs have access to SBDC business counselors, and as SBDC business counselors spend less time with their small business clients, the impact of the SBDCs will be diminished. Fewer businesses will be created and saved, and fewer jobs will be created and saved.

The nationwide SBDC network has a proven record of helping America's small businesses grow and create jobs. In 2004, for example, nationwide SBDC in-depth clients (those who received five or more hours of business counseling) created 74,253 new full time jobs; saved an additional 80,907 jobs; generated \$6.1 billion in new sales; and saved an additional \$5.8 billion in sales.

In addition, the Federal SBDC appropriation of \$88 million in fiscal year 2004 resulted in SBDC in-depth clients generating an estimated \$233,674,930 in new Federal revenue as a result of increased economic activity—a return of \$2.66 in new Federal tax revenues for every Federal dollar spent on the SBDC program. Simply put, Federal SBDC funding actually generates more revenues than it costs the taxpayer. And every dollar appropriated by the Federal government for the SBDC national program—to assist small businesses to survive, grow and create jobs—leverages at least one additional, non-Federal dollar in small business assistance. That is so because, to secure a Federal dollar, SBDCs must raise a non-Federal matching dollar.

If we are to generate jobs for our Nation's young people coming out of colleges and universities and high schools, we must stimulate job growth. The cost per job created by SBDC in-depth counseling clients, including Federal dollars and non-Federal dollars, is \$2,439 per job. Few federal jobs programs can approximate that cost-per-job created. Most State economic development agencies consider \$10,000 per job to be a successful program.

It makes no sense to cut funding for a program that teaches small business owners and aspiring entrepreneurs to become more competitive, effectively manage their small businesses, start new businesses, increase sales and create new jobs—espe-

cially when the SBDCs help generate more Federal revenue through economic growth than it costs the federal taxpayer to fund the SBDCs. As the United States Chamber of Commerce states, in its letter to the Appropriations Committee expressing the Chamber's support for an appropriation of \$110 million for the SBDC grant program, "It is vital to have a well-funded SBDC infrastructure in place to provide a cost-effective way to help these small business owners develop the skills they need to manage cash flow, restore markets, bolster revenue streams and increase sales—while creating new jobs and additional State and federal revenues."

Based on survey data analyzed by Professor James Chrisman of Mississippi State University, the ASBDC estimates that, with an appropriation of \$110 million the nationwide SBDC network could help in-depth SBDC clients to:

- Create 92,752 new jobs;
- Save an additional 101,064 jobs;
- Make \$7.6 billion in new sales;
- Save an additional \$7.2 billion in sales;
- Obtain \$3.2 billion in financing to grow their businesses; and
- Generate \$291,891,163 in additional Federal revenues as a result of economic growth.

Again, a federal funding level of \$110 million for the nationwide SBDC network in fiscal year 2007 will restore federal funding lost to most State and regional SBDC networks across the Nation as a result of inflation in recent years. The ASBDC urges the subcommittee to provide this much needed funding and help ensure that America's small businesses and aspiring entrepreneurs, and the SBDCs that serve them, have the resources they need.

Below is a spreadsheet showing how much each State and regional SBDC network has lost in the value of its Federal SBDC funding in recent years as a result of inflation.

HOW INFLATION HAS ERODED SBDC FUNDING

State	Year of Last Federal SBDC Funding Increase	Federal Funding During Year of Last Increase	Federal Funding Dollars During Year of Last Increase (in inflation-adjusted, 2007)	Federal Dollars Lost to Inflation (between Year of Last Increase and 2007)	Percent of Federal Dollars Lost to Inflation (between Year of Last Increase and 2007)
Alabama	2001	\$1,276,425	\$1,488,822	\$212,397	17
Alaska	1998	500,000	626,150	126,150	25
American Samoa	2001	200,000	233,280	33,280	17
Arizona	2002	1,433,189	1,626,096	192,907	13
Arkansas	2000	784,618	946,328	161,710	21
California	2004	9,461,506	10,329,126	867,620	9
Colorado	2002	1,201,512	1,363,236	161,724	13
Connecticut	2000	1,045,447	1,260,914	215,467	21
Delaware	1998	500,000	626,150	126,150	25
District of Columbia	1998	500,000	626,150	126,150	25
Florida	2002	4,464,511	5,065,434	600,923	13
Georgia	2002	2,286,800	2,594,603	307,803	13
Guam	1998	500,000	626,150	126,150	25
Hawaii	1998	500,000	626,150	126,150	25
Idaho	1998	500,000	626,150	126,150	25
Illinois	2001	3,602,452	4,201,900	599,448	17
Indiana	2001	1,747,976	2,038,839	290,863	17
Iowa	2000	903,302	1,089,473	186,171	21
Kansas	2000	819,243	988,089	168,846	21
Kentucky	2001	1,162,071	1,355,440	193,369	17
Louisiana	2001	1,331,402	1,552,947	221,545	17
Maine	1998	500,000	626,150	126,150	25
Maryland	2001	1,507,645	1,758,517	250,872	17
Massachusetts	2001	1,894,060	2,209,232	315,172	17
Michigan	2001	2,930,782	3,418,464	487,682	17
Minnesota	2001	1,378,212	1,607,546	229,334	17
Mississippi	2000	847,168	1,021,769	174,601	21
Missouri	2001	1,614,145	1,882,739	268,594	17
Montana	1998	500,000	626,150	126,150	25
Nebraska	2000	567,629	684,617	116,988	21
Nevada	1998	500,000	626,150	126,150	25
New Hampshire	1998	500,000	626,150	126,150	25

HOW INFLATION HAS ERODED SBDC FUNDING—Continued

State	Year of Last Federal SBDC Funding Increase	Federal Funding During Year of Last Increase	Federal Funding Dollars During Year of Last Increase (in inflation-adjusted, 2007)	Federal Dollars Lost to Inflation (between Year of Last Increase and 2007)	Percent of Federal Dollars Lost to Inflation (between Year of Last Increase and 2007)
New Jersey	2001	2,434,412	2,839,498	405,086	17
New Mexico	2000	550,034	663,396	113,362	21
New York	2001	5,668,984	6,612,303	943,319	17
North Carolina	2002	2,248,492	2,551,139	302,647	13
North Dakota	1999	500,000	616,300	116,300	23
Ohio	2001	3,420,240	3,989,368	569,128	17
Oklahoma	2000	1,006,907	1,214,431	207,524	21
Oregon	2002	955,732	1,084,374	128,642	13
Pennsylvania	2001	3,746,336	4,369,726	623,390	17
Puerto Rico	2002	1,063,895	1,207,095	143,200	13
Rhode Island	1998	500,000	626,150	126,150	25
South Carolina	2002	1,120,714	1,271,562	150,848	13
South Dakota	1998	500,000	626,150	126,150	25
Tennessee	2002	1,589,242	1,803,154	213,912	13
Texas	2001–02	5,898,568	6,711,872	813,304	14
Utah	2002	623,812	707,777	83,965	13
Vermont	1998	500,000	626,150	126,150	25
Virgin Islands	1998	500,000	626,150	126,150	25
Virginia	2002	1,977,309	2,243,455	266,146	13
Washington	2003	1,656,015	1,849,438	193,423	12
West Virginia	2000	628,228	757,706	129,478	21
Wisconsin	2001	1,541,574	1,798,092	256,518	17
Wyoming	1998	500,000	626,150	126,150	25

PREPARED STATEMENT OF THE AMERICAN PHYSIOLOGICAL SOCIETY

The American Physiological Society (APS) thanks the Subcommittee for its sustained financial support of scientific research at the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA). Scientific research plays an important role in technological innovation and economic development and therefore is vitally important to the future of our Nation. The APS applauds the proposed budget increase for NSF, and recommends implementation of the plan to provide the agency with \$6.02 billion in fiscal year 2007 and double its budget in the coming years. In contrast, while the proposed overall budget increase for NASA is 3.2 percent, the Human Systems Research and Technology (HSR&T) theme would be cut by 56 percent. The APS recommends the restoration of funds to basic life sciences and countermeasures research at NASA to ensure the safety of humans both on the International Space Station and in any future space endeavors.

The APS is a professional society dedicated to fostering research and education as well as the dissemination of scientific knowledge concerning how the organs and systems of the body work. The Society was founded in 1887 and now has more than 11,000 members who do research and teach at public and private research institutions across the country, including colleges, universities, medical and veterinary schools.

The APS recognizes both the enormous financial challenges facing our Nation and the significant opportunities for scientific progress. In this testimony, the APS offers its recommendations for fiscal year 2007 funding for the NSF and NASA.

NSF

The basic science initiatives funded by the NSF are driven by the most fundamental principles of scientific inquiry. Although at times NSF-funded research may seem to be exploring questions that lack immediate practical application, we have learned again and again that the relevance of the knowledge gained becomes apparent over time. The NSF provides support for approximately 20 percent of federally funded basic science and is the major source of support for non-medical biology research, including integrative, comparative, and evolutionary biology, as well as interdisciplinary biological research. The majority of the funding NSF provides is awarded through competitive, merit-based peer review, which ensures that the best

possible projects are supported. NSF has an excellent record of accomplishment in terms of funding research endeavors that have produced results with far-reaching potential.

One example of innovative NSF-funded research that crosses scientific disciplines is the effort by scientists in the Department of Mathematics at Duke University to develop mathematical models of kidney function. The kidney rids the body of waste and regulates fluid volume and balance. By developing mathematically based computer models of kidney function at the cellular level, researchers hope to gain a better understanding of this complex organ and the causes of kidney disease.¹ This type of cutting-edge, interdisciplinary research program is essential for the progress of science, which is becoming increasingly interdisciplinary as new technologies emerge.

In another example of NSF-funded research, scientists studying land-dwelling wood frogs at Miami University in Ohio have made some important discoveries about how they survive harsh winter weather. According to their studies, the frogs alter the amount of sugar and other molecules in their bodies in response to cold temperatures, ultimately allowing them to freeze solid in the winter and then thaw again in spring.² Because frogs share many biological similarities with humans and other mammals, the researchers hope that studying the precise series of physiological events in the frog will allow them to achieve better and longer-term preservation of human organs for transplantation. If human organs could be stored for longer periods, more organs might be available for transplantation and better immunological matches could be achieved. This has the potential to result in longer and healthier lives for transplant patients. In addition, because the frogs undergo cardiac arrest when they freeze, a better understanding of their natural cold tolerance may also shed light on medical problems in humans resulting from hypothermia and oxygen deprivation.³

In addition to such innovative research, NSF also supports outstanding science and math education programs, which was one of the themes in the President's State of the Union address. NSF programs enhance education at every level from elementary school through graduate school and therefore should have merited funding increases for fiscal year 2007. Nevertheless, education programs at the NSF have suffered from recent budget cuts, and fiscal year 2007 budget proposal similarly fails to give them the priority they deserve. The President's budget recommends shifting funding for some NSF educational programs to the Department of Education. We believe that the NSF is uniquely qualified to foster excellence in science and math education and urge that funding for these programs remain at the NSF.

The APS urges Congress to support the important work being carried out at NSF by funding the agency at its requested level of \$6.02 billion. In addition, the APS recommends restoration of funding for education programs at NSF.

NASA

The Human Systems Research and Technology (HSR&T) Theme within NASA was created to focus on the health and safety of humans involved in space exploration. During prolonged space flight, the physiological changes that occur due to microgravity, increased exposure to radiation, confined living quarters, and alterations in eating and sleeping patterns can lead to health problems and reduced ability to perform tasks. Given NASA's current focus on manned space exploration, it is critical that resources be devoted now to research into the health effects of prolonged space flight. NASA is the only agency whose mission includes addressing the biomedical challenges of manned space exploration. Moreover, this research has already produced findings with potential application to medical problems that occur in other connections. A few examples of outstanding NASA funded science are described below.

A common problem associated with prolonged exposure to reduced gravity is muscle atrophy, including in the muscles of the legs. In an environment with normal gravity, muscle mass is maintained because walking provides both exercise and nerve stimulation in the leg muscles. The kind of muscle atrophy observed in humans following spaceflight can be simulated in laboratory rats, which has permitted researchers opportunities to study ways to counteract its negative effects. Last year several NASA-funded researchers published a study using showing that by artificially stimulating the bottom of the foot using an inflatable boot they could mark-

¹A.T. Layton, H.E. Layton, *Am J Physiol Renal Physiol* 289, F1346–66 (Dec, 2005).

²J.P. Costanzo, R.E. Lee, Jr., *J Exp Biol* 208, 4079–89 (Nov, 2005).

³J. P. Costanzo, R.E. Lee, Jr., A.L. DeVries, T. Wang, J.R. Layne, Jr., *Faseb J* 9, 351–8 (Mar, 1995).

edly reduce the atrophy that would otherwise occur in the leg muscles.⁴ If these results can be confirmed in humans, this type of countermeasure may be useful not only in conditions of reduced gravity, but also in patients who are bed-ridden for prolonged periods.

Muscles that have atrophied also show resistance to insulin, a molecule that affects how sugar is absorbed by the body's tissues. NASA-funded researchers at the University of North Carolina, Chapel Hill, used the same kind of animal model to study insulin resistance in conditions that simulate microgravity. They were able to identify events that occur at the molecular level that lead to insulin resistance, as well as ways the body compensates to allow the muscles to utilize sugar in a way that does not require insulin.⁵ These studies may have significant implications for keeping astronauts healthy during and after spaceflight. At the same time, they may contribute to our understanding of biological pathways that are important in diabetes, which is a growing health problem in the United States.

The APS is concerned about the proposed 56 percent decrease in the allocation for fiscal year 2007, which is inconsistent with NASA's increased focus on manned space exploration. The APS joins the Federation of American Societies for Experimental Biology (FASEB) in urging both a restoration of the cut and an increase in support for peer-reviewed research into the health risks of long-term space flight and development of appropriate countermeasures.

Investment in the basic sciences is critical to our Nation's technological and economic future. The APS strongly supports federal funding for biological and biomedical research at the NSF and NASA, as it does for funding at the National Institutes of Health, another agency whose budget is in need of congressional attention to counter the real decline in its ability to fund medical research. The APS urges you to make every effort to provide these agencies with increased funding for fiscal year 2007.

PREPARED STATEMENT OF ASME AEROSPACE DIVISION'S TASK FORCE

INTRODUCTION TO ASME AND THE AEROSPACE DIVISION

ASME is a nonprofit, worldwide engineering society serving a membership of 120,000. It conducts one of the world's largest technical publishing operations, holds more than 30 technical conferences and 200 professional development courses each year, and sets many industrial and manufacturing standards. The work of the society is performed by its member-elected board of governors through five councils, 44 boards, and hundreds of committees operating in 13 regions throughout the world.

The ASME Aerospace Division has approximately 15,000 members from industry, academia and government. ASME members are involved in all aspects of aeronautical and aerospace engineering at all levels of responsibility. They have a long-standing interest and expertise in the Nation's federally funded aerospace research and development activities at the National Aeronautics and Space Administration (NASA) and NASA's efforts to create a pipeline of young engineers interested in aerospace and aeronautics. In this statement, the ASME Aerospace Division's Task Force (herein referred to as "the Task Force") will address programs that are critical to the long-term health of the Nation's aerospace enterprise and its global economic competitiveness.

OVERVIEW OF NASA'S FISCAL YEAR 2007 BUDGET REQUEST

The Task Force applauds the administration for its firm commitment to space exploration. Space exploration is one of the United States' greatest achievements and maintaining this mission is critical to U.S. leadership in space. However, at a time when America faces unprecedented challenges to its economic leadership, NASA must continue to play a lead role in funding engineering-related research, particularly for aeronautics programs.

While we are pleased with the administration's support for the space program and NASA's efforts to revitalize its mission, we remain concerned about proposed reductions in funding for the aeronautics research and technology (R&T) programs contained within NASA's Aeronautics Research Mission Directorate. This is the portion of the NASA budget that has an immediate and practical benefit to the Nation, and yet the administration proposes to reduce those programs by \$160 million to \$724 million in fiscal year 2007, reducing the budget by almost half over the past decade.

⁴A. Kyparos, D.L. Feeback, C.S. Layne, D.A. Martinez, M.S. Clarke, *J Appl Physiol* 99, 739–46 (Aug, 2005).

⁵T.L. Hilder *et al.*, *J Appl Physiol* 99, 2181–8 (Dec, 2005).

Strong investment in fundamental engineering research in aeronautics will ensure that the United States will retain its long-term leadership in this field. Therefore, the Task Force recommends that the aeronautics portion of the NASA budget be increased to \$2 billion over the next 8 years, with a long-term target of attaining a level of 10 percent of the total NASA budget. Achieving this target would re-establish aeronautics funding, as a percentage of the NASA budget, at its pre-1990 level and put U.S. R&D funding at levels commensurate with its competitors abroad.

AERONAUTICS RESEARCH AND TECHNOLOGY

Several interrelated critical challenges confront the U.S. aeronautics enterprise—a sharp decrease in the number of new commercial and military aircraft programs, a decline in the quality of the research infrastructure, and erosion in the technologically literate workforce needed to ensure pre-eminence in an increasingly competitive marketplace. Low investment by NASA in aeronautics research contributes to all these problems.

Infrastructure.—There is a need to refocus on the infrastructure required to develop a new generation of advanced flight vehicles. In an era of budget cuts and fewer defense contracts, the Nation has embarked on a path where key wind tunnel and other ground test facilities are being retired. Our Task Force recommends a team of experts from industry, government and academia be chartered to identify the infrastructure requirements for a robust national aeronautical R&D program aimed at developing a new generation of advanced aeronautical vehicles. R&D adequate to sustain or build this infrastructure should be identified. The Nation should guard against a loss of technical expertise in the critical field of wind tunnel testing, a very real possibility in the current climate of attrition.

Workforce.—Aeronautics faces the same pressures being felt by the space industries: fewer research dollars over time has resulted in fewer companies with skilled workers capable of designing and building complex aeronautical systems. An investment in aeronautics is a matter of strategic importance, as it creates highly skilled manufacturing jobs and helps create a foundation for a strong national defense.

Aerospace companies have an aging workforce, with an estimated 26–27 percent reaching retirement age by 2008. Aerospace suffers from a lack of available young workers with advanced technology degrees who can step in to replace retiring, experienced workers. The aerospace industry looks to NASA to create a demand for long-term R&D to encourage students to go to graduate school and on to companies who are doing aeronautical research. There is a clear correlation between research dollars and the number of graduate students in a particular field—the students follow the money. Therefore, as the funding for aeronautics has decreased by more than half over the last decade, so have the number of graduate student decreased.

Aeronautical Technologies Critical to U.S. Leadership.—Contrary to perception, aeronautics is not a mature industry. Exciting new opportunities exist for major advances in many areas of aeronautical technology, including automated flight vehicles, “fail-safe” avionics, new platforms/configurations, efficient propulsion, “quiet” aircraft, enhanced safety, and “zero” emissions aircraft. The Task Force identified numerous technologies that are critical to the long-term health of the Nation’s civil and military aviation and aeronautics technology enterprise including:

- Quieter, more environmentally friendly aircraft engines are not only possible, but highly desirable over the near- and longer-term. More distant, but intriguing, are the possibilities for engines using alternative fuels, including hydrogen. A vigorous pursuit of these technologies is likely to pay rich dividends to the United States air transportation system, the national economy, and in our efforts to reduce the use of fossil fuels.
- Flight demonstrations (jointly funded by DOD and NASA) should be sustained at an annual budget level sufficient to determine the integrated performance of promising and dramatic new emerging technology opportunities.
- Research into avionics systems and their applications should be aggressively pursued because their use is pervasive and is often critical to the success of advanced aircraft developments.
- Research and development into Uninhabited Air Vehicles (UAVs) should be given sustained support addressing issues of reliability, maintainability and cost, so that the full potential of these promising aircraft can be realized.
- Research on new and more effective prediction methodologies are sorely needed to meet the challenge of addressing the increased complexity of design decisions. Computational Fluid Dynamics (CFD) methods, for example, have evolved to the point of achieving good correlation with test results, but are so computer-time intensive as to be currently impractical for the multiplicity of calculations needed for design of optimum configurations.

- Methodologies that facilitate the development of cost-effective, extraordinarily reliable software and systems for safety critical operations should receive the strongest possible support.
- Materials development and design to transition high trust propulsion technology to aerospace systems to boost trust-to-weight ratio of propulsion systems. This will require development of hybrid materials systems, durable coatings, and microvascular active thermal management.
- Composite-Structures research is a critical enabling technology for advanced aeronautical development, and should be vigorously supported. New advances in manufacturing techniques for large-scale composite structures are required to promote the development of a new generation of aeronautical vehicles. Nanotechnology research is also needed to develop high strength and environmentally durable materials that perform well in hostile atmospheric and space environments.
- Significant new aerodynamics research is required in support of innovative and promising applications ranging from micro UAVs, to Vertical Takeoff and Landing (VTOL) regional transports to Single Stage to Orbit (SSTO) launch vehicles and hypersonic missiles.
- Essential simulation, ground, and flight-testing capabilities must be preserved and new, more productive capabilities should be developed—including physical infrastructure and personnel—so that new generations of advanced aircraft can be designed safely to be competitive in the world market.
- There is a continuing need for R&D into flight mechanics and control for new, innovative configurations including un-piloted aircraft. Research to minimize if not entirely eliminate the impact of pilot and operator errors on flight safety should be a primary focus.

We urge you to read our more detailed report on “Persistent and Critical Issues in the Nation’s Aviation and Aeronautics Enterprise,” prioritizing technologies critical to the long-term health of the Nation’s civil and military aviation and aeronautics technology enterprise which is located on our website at <http://www.asme.org/gric/ps/2003/ASMEPolicyPaper.pdf>.

CONCLUSION

In conclusion, we applaud the proposed fiscal year 2007 NASA budget for its efforts to revitalize U.S. space exploration. There is a strong rationale, however, for Congress to consider real increases in the NASA Aeronautics budget. The President has challenged us to make the investments in the physical sciences necessary to maintain our high standard of living and unprecedented economic prowess. Aeronautics is a vital industry that produces tangible economic and security benefits for the Nation. As other nations seek to expand their efforts in aeronautics and space exploration, Congress should also consider funds for NASA R&D measures that will help the U.S. economy remain competitive and innovative.

PREPARED STATEMENT OF THE NATIONAL AQUARIUM, BALTIMORE, MARYLAND

Mr. Chairman, and members of the subcommittee, thank you for the opportunity to submit testimony in support of federal appropriations for the National Oceanic and Atmospheric Administration (NOAA).

As a stakeholder and partner of NOAA, the National Aquarium in Baltimore strongly encourages you to provide the agency with an appropriation of \$4.5 billion in fiscal year 2007. NOAA’s protection of our oceans and coastal communities is crucial to the U.S. economy. Coastal communities, our national fisheries, and the services provided by shorelines and wetlands depend on the science and management offered by NOAA.

Funding from NOAA supports many of the conservation and education activities conducted by the National Aquarium in Baltimore, its affiliates, and other nonprofit and educational organizations on the Chesapeake Bay. In partnership with NOAA, the National Aquarium in Baltimore has helped citizens and communities restore tidal wetlands on Chesapeake Bay’s Barren Island, Blackwater National Wildlife Refuge, Eastern Neck National Wildlife Refuge, and Fort McHenry in Baltimore. This partnership leverages support from other Federal and State agencies and private foundations, enabling community-based restoration activities that publicly demonstrate habitat enhancement and beneficial use of dredged material for restoring tidal wetlands. NOAA investments have leveraged more than \$1.6 million over the past 5 years for restoration of Chesapeake Bay tidal wetlands.

NOAA helps support the conservation of marine life through the Aquarium’s Marine Animal Rescue Program (MARP), which rescues and rehabilitates seals, sea

turtles, dolphins and porpoises, and even the occasional whale, that become stranded on Atlantic Coast shorelines. Many animals are released back into the wild after rehabilitation. Those that cannot be released are cared for, studied, and placed in educational facilities throughout the United States. MARP could not conduct rescue and rehabilitation without help from NOAA's Prescott Marine Mammal Assistance Grants. NOAA-funded conservation education messages presented by MARP reach tens of thousands of visitors to Ocean City, Baltimore, and the surrounding region. NOAA investments have leveraged more than \$500,000 for MARP activities over the past 5 years.

The Bay Wide Education and Training (BWET) grants from NOAA support the National Aquarium in Baltimore's school-based Wetland Nursery Program for middle and high school students in Maryland and Washington, DC. This program builds demonstration wetland plant nurseries at urban schools. Students grow wetland grasses and monitor water quality, growth, and other scientific parameters. A new component of the program integrates native fish aquaculture into the wetland nursery system. At the end of the growing season, students plant grasses and release fish in restored tidal wetlands on Chesapeake Bay. Additional teacher training programs enable local educators to utilize curricular materials on the Chesapeake Bay watershed in their classrooms throughout the school year. NOAA investments have leveraged more than \$300,000 for these and other environmental education programs at the Aquarium over the past 5 years.

NOAA is also significantly supporting the restoration of the historic National Aquarium in Washington, DC, which is located in the basement of the Commerce Building. The DC aquarium is an affiliate of the National Aquarium in Baltimore. The two aquariums share resources, providing top quality animal care, exhibit expertise, and materials. Recent funding from NOAA has allowed the DC aquarium to upgrade water quality and life support systems; improve worker safety and visitor access; and refurbish exhibits. A NOAA-supported educational assessment is under way and will help enhance conservation education activities for schoolchildren in Washington, DC and the surrounding region. Visitors to the DC aquarium come from around the world and learn about our National Marine Sanctuaries through educational displays and the new exhibits. In just 2 years, NOAA investments have leveraged more than \$100,000 in in-kind support for the National Aquarium in Washington, DC.

The National Aquariums in Baltimore and Washington, DC are appreciative of NOAA support over past years. We encourage the subcommittee to continue significant funding for NOAA in future years, as we work together to protect our oceans, shorelines, fisheries, coastal communities and their economies.

PREPARED STATEMENT OF THE UNITED STATES TENNIS ASSOCIATION TENNIS AND
EDUCATION FOUNDATION

Mr. Chairman and members of the subcommittee, on behalf of the Foundation of the United States Tennis Association (USTA), we extend our sincere appreciation to the committee for the past consideration and support extended to our national youth development initiative, "Aces for Kids"—community based, nonprofit after-school and out-of-school programs that encourage healthy lifestyles, tennis, and life skills in a safe, nurturing environment for at-risk children between the ages of 5–18, particularly those in lower income communities. The specific problems addressed by this grant are: school truancy and performance, gang activity, underage drinking and drug abuse. A U.S. Department of Justice report, *Juvenile Justice Bulletin*, concluded that after-school recreation programs are a promising approach to preventing delinquency and crime.

"America's Promise" and the "No Child Left Behind" Act state that nearly 8 in 10 middle/high school youth who participate in supportive after-school programs are high achieving students. Children who regularly attend high-quality after-school programs have:

- Better grades and conduct in school,
- More academic and personal growth opportunities,
- Better peer relations and emotional adjustment,
- A stronger sense of responsibility to themselves and the community, and
- Lower incidences of drug-use, violence and teen pregnancy.

Research cites that the problems to be addressed by "Aces for Kids" are consistent across the country. Specifically that: (1) the majority of children have both parents or their only parent/caregiver in the workforce; (2) the majority of children under the age of 16 are left alone at home each week; (3) many children, especially those from low-income households, lose ground in reading skills if they are not engaged

in organized learning over the summer months; (4) school-age children who are unsupervised during out-of-school hours are more likely to receive poor grades and drop out of school than those who are involved in supervised, constructive activities; and, (5) most juvenile crime takes place between the hours of 2 p.m. and 8 p.m., and that children are also at much greater risk of being the victims of crime during these hours.

The USTA/USTA Tennis & Education Foundation recognized the importance of “Aces for Kids” prior to receiving government support and began funding programs that followed the “Aces” model in 2004. These organizations include: Arthur Ashe Youth Tennis & Education, Community Education & Tennis Association, and National Kidney Foundation-Delaware Valley, all located in Philadelphia, Pennsylvania; Abundant Waters, City Parks Foundation, New York Junior Tennis League, and Harlem Junior Tennis Program, all located in New York City; Boys & Girls Clubs of San Francisco, San Francisco, California; East Palo Alto Tennis & Tutoring, Stanford, California; Youth Tennis Advantage, Oakland, California; Net Results Junior Tennis, Denver, Colorado; Recreation Wish List Committee and Joy of Sports, both in Washington, DC; Love to Serve and Tennis Opportunity Program, both in Chicago; Baltimore Tennis Patrons, Baltimore, Maryland; Tenacity, Inc., Boston, Massachusetts; Fort Snelling Tennis & Education and Inner City Tennis, both in Minneapolis, Minnesota; First Serve-New Mexico, Santa Fe, New Mexico; NJTL of Charleston, Charlestown, South Carolina; Coldstream Junior Tennis Academy, Columbia, South Carolina; Public Tennis, Inc., Hilton Head, South Carolina; Wilson Tennis Foundation-NJTL, Wilson, South Carolina; and several dozen other programs across the country.

In October, 2005 (due date of January 13, 2006), the USTA/USTA Tennis & Education Foundation issued a first-round of requests for proposals. In Round I of “Aces for Kids,” 10 programs were selected in a competitive application and review process based upon criteria that rely on meeting the physical, social and emotional needs of children:

Aces for Kids program/location	Purpose of grant	Funded amount
Apple Ridge Farm, Roanoke, Virginia	To sponsor 50 underserved students from low income families who are living in government housing at their 9-week Summer Academic Camp.	\$15,000
MACH Academy, Aiken, South Carolina and Martinez, Georgia.	To increase outreach efforts to provide academic, nutrition, technology, and tennis/fitness activities 2 days per week after school, 4 hours per day, and 5 days per week—4 hours per day during a 2 week summer camp session and target children ages 5–18 from families that have limited parental involvement and are of a transient nature.	\$15,000
Middlesex County Grandparents Raising Grandchildren Coalition, Rahway, New Jersey.	For “Success Pathways Summer Camp-Tennis Program” which is designed to assist disabled and extremely low to low-income working grandparents and kinship caregivers in resolving their dilemma of finding affordable and nurturing summer child care.	\$25,000
National Junior Tennis League of Trenton, Pennington, New Jersey.	For the start-up of the “Mobile Information Technology Educational Support Program,” which will enhance and expand the academic, tennis, and nutritional education components by adding a traveling computer literacy program that will reach 1,000 children by Summer, 2006.	\$25,000
Prince George's Tennis & Education Foundation, Upper Marlboro, Maryland.	To continue the work and achievements of its five core programs which target approximately 400+ at-risk youth: Junior Outreach, College Preparation & Personal Development, Out of School, and Tennis Camp.	\$25,000
Rodney Street Tennis Association, Wilmington, Delaware.	To implement two Aces for Kids components: nutrition and citizenship. A part-time nutritionist will be hired to improve the nutrition of at-risk minority youth during a 10-week summer tennis program. The citizenship component will support student trips to their representatives at the city, State and Federal Government levels.	\$13,750
Southern Alabama Tennis Association, Mobile, Alabama.	To improve the lives of the youth in Mobile and Baldwin Counties. Tutoring is already done on a small scale with many staff members volunteering, and this grant will allow the program to reach 25 children, 2 days per week.	\$11,400

Aces for Kids program/location	Purpose of grant	Funded amount
Sportsmen's Tennis Club, Dorchester, Massachusetts.	General support for their programs which serve approximately 300 disadvantaged children from low-income, working families.	\$25,000
Washington Tennis & Education Foundation, Washington, DC.	For their Arthur Ashe Children's Program and WTEF Academy. Combined the programs serve over 500 students, ages 8–18, with tennis, academic and life-skills instruction. The programs are intensive, operating 2-to-3 hours a day, 4 days each week, nearly year-round for a total of approximately 6,500 hours of programming each year.	\$25,000
Youth & Tennis, Inc., Jamaica, New York	To help them increase the number of students in the program by 10 percent in addition to expanding their academic and social support services. They currently serve 1,000 children.	\$25,000

The USTA/USTA Tennis & Education Foundation is grateful for your support and is confident that our “Aces for Kids” model is a positive step in preventing crime and delinquency and encouraging healthy lifestyles and academic achievement for underserved children. In fiscal year 2007, we hope the subcommittee will support our request for \$1.5 million in funding, so that we can continue to be successful in our efforts.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES (NASULGC)

On behalf of the National Association of State Universities and Land-Grant Colleges (NASULGC), thank you for the opportunity to provide recommendations for the fiscal year 2007 budgets for the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautic and Space Administration (NASA) and the National Science Foundation (NSF). We thank you for the support you have continually demonstrated for these agencies over the past several years, and know that the Senate recognizes the unique roles that NOAA, NASA and NSF each play in a number of high-priority U.S. and international initiatives. All three agencies also support research at our member institutions that provides critical information to policymakers and communities across the country. That is why we strongly recommend \$4.5 billion for NOAA; restoration of the President's proposed cuts to NASA's Earth Science R&A Account; and the President's budget request for NSF.

NOAA

In order to maintain our country's homeland security, scientific leadership, and economic competitive edge we must have a diverse portfolio of federally supported science research and programs. Consequently, we are concerned about the significant cuts made to NOAA in fiscal year 2006. The science-based work of NOAA protects and impacts every American citizen, everyday. NOAA is the third largest source of funds for academic marine research in the Federal Government.

In 2004, the U.S. Commission on Ocean Policy (USCOP) report “An Ocean Blueprint” recommended an integrated national ocean policy be developed, incorporating ecosystem-based management and end-to-end watershed monitoring. USCOP also recommended doubling the federal ocean research budget and a significant enhancement and expansion of NOAA's coastal, oceanic and atmospheric real-time observing network that will lead to better forecasts of weather events, climate conditions and impending natural hazards. Yet, even following a year with the most devastating ocean and climate-based natural disaster in recent memory, Hurricane Katrina, and in which the importance of science to American's competitiveness was noted in a number of reports such as the National Academies' “Rising Above the Gathering Storm,” NOAA is still significantly under-funded. As a member of the Friends of NOAA Coalition, NASULGC strongly recommends \$4.5 billion for NOAA in fiscal year 2007.

We thank the Senate for appropriating this same amount last year, and believe it is a reasonable recommendation when one considers that the coastal watershed counties contribute \$4.5 trillion to the U.S. economy—half of the Nation's Gross Domestic Product—and over 60 million jobs. For that relatively small amount, each American receives weather forecasting, hurricane tracking, tornado warnings, tsunami warnings, navigational information, land and building boundary specifications, fisheries management, hazard mitigation, scientific research, and local community assistance. On behalf of all of us, NOAA oversees the Nation's environmental observing networks and satellites, and provides science-based management of many

valuable marine resources. The bottom line is that NOAA affects and provides important services to all Americans, so it is time for Congress to demonstrate its commitment to the NOAA programs that are vital to our economy and to the health and well being.

As members of the oceanic and atmospheric academic community we further recommend that a portion of the additional funding, that \$4.5 billion would provide, be used to support the following programs and activities:

- \$471 million for Oceanic and Atmospheric Research (OAR), a \$100 million increase over fiscal year 2006 enacted levels, and the same amount approved by the Senate in fiscal year 2006. The basic research conducted through the OAR line office and its partnerships with universities helps us understand climate variability, provide better protection for coastal resources, contributes to our Nation's commerce, and supports our transportation systems. OAR supports such important programs as the National Sea Grant College Program, Ocean Exploration, the National Undersea Research Program, the U.S. Weather Research Program, and Climate Operations. Despite this, the President's budget request for OAR represents a \$65.8 million decrease since fiscal year 2005. Within the OAR line office, NASULGC specifically recommends:
- \$72 million for the National Sea Grant College Program, \$17.3 million increase over fiscal year 2006 enacted levels, and the same amount approved by the Senate in fiscal year 2006. Last year, Sea Grant was surprisingly cut by \$7.1 million, or 11 percent, from fiscal year 2005 enacted levels. The fiscal year 2006 enacted level of \$54.7 million was also significantly below the President's request, the House passed level, and the Senate passed level for the same year. While our fiscal year 2007 request represents a modest increase, it restores the significant reductions taken in fiscal year 2006 and is still \$28 million below the authorization for the Sea Grant program. Sea Grant is the flagship program between NOAA and the academic community that supports the work of 31 colleges located in coastal and Great Lakes States and serves as the core of a national network of more than 300 participating institutions involving more than 3,000 scientists, engineers, educators, students, and outreach experts.
- \$29.5 million in fiscal year 2007 for the extramural portions of both the NOS Ocean and Coastal Research program and the Oceans and Human Health Initiative (OHHI). Within the National Ocean Service (NOS), NASULGC supports restoration of last year's drastic cuts in competitive extramural research, bringing funding back to the more sustainable and effective level provided in fiscal year 2005. In addition, we support the appropriation of sufficient funds for full NOAA participation in collaborative NOS science programs, particularly OHHI. NOS support for extramural research conducted in cooperation with NOAA scientists is leading to improved knowledge and forecasts to address complex problems such as harmful algal blooms, hypoxia, coastal stressors and ecosystem-based management of fisheries. We ask that a minimum of \$20.5 million be provided in fiscal year 2007 to provide support for academic participation in such efforts. In addition, OHHI offers real promise for understanding the role of the oceans in human health. The initiative was funded at \$18 million in fiscal year 2005 of which \$9 million was made available to academic partners, and we ask that this support be restored.

As recipients of many of NOAA's extramural research grants, we would also appreciate bill language that asks NOAA to provide greater transparency in their budget justification of available funding for extramural research purposes. Extramural research is available throughout various programs within OAR and NOS, but the current system makes it difficult to track where the money is going.

NASA

Another area of great concern is the future prospect for Earth science activities at NASA, which now falls under the agency's Science Mission Directorate. We feel that Earth science activities are being cut because of space exploration missions. While we appreciate the President's ambitious space exploration agenda, we agree with Science Committee Chairman Boehlert's statement that "There simply is no planet more important to human beings than our own, and we're remarkably ignorant about it. NASA's Earth science mission is essential." NASA's traditional robust research and development funding has been very important for our member universities and NASULGC supports a balance between NASA's science and the human space programs at NASA.

NASA's investments in the Earth sciences fund university research that has resulted in valuable advances in weather forecasting, improved climate projections, and understanding of Earth ecosystems. Without the tools provided by NASA,

oceanographers and the Nation would have a much less complete picture of the planet's oceans and coasts.

There are suggestions that NASA's Earth Science R&A funding will be cut by almost 20 percent this year, and estimated to cut \$350–\$400 million over the next 5 years. The Research and Analysis program at NASA is the primary mechanism for funding to the academic community. Through its support for young scientists and graduate students, the R&A program supports innovation in Earth science and technology using NASA's satellite missions. New sensor concepts, new data processing algorithms, and new approaches to global-scale Earth science are the legacy of the research funded by the R&A program. It is essential that NASA maintain a balance between R&A funding and its space missions in order to derive maximum benefit from today's missions as well as to support the innovation needed to drive the missions of tomorrow. NASULGC is opposed to proposed cuts to the NASA Earth Science R&A Program.

NSF

The Nation's state universities and land-grant colleges that we represent welcome, and are excited by, the renewed national focus on scientific research and education as illustrated in the President's proposed American Competitiveness Initiative (ACI). We are extremely pleased with his proposal to double funding in the physical sciences at NSF over the next 10 years. NASULGC supports the President's NSF fiscal year 2007 budget request of \$6 billion, and specifically his proposed increases in the Geoscience Directorate.

Thank you for taking time to review our recommendations. We look forward to continue working with you towards promoting and sustaining the important NOAA, NASA, and NSF programs that enable the United States to maintain a leadership position in marine and climate science.

About NASULGC

NASULGC is the Nation's oldest higher education association. Currently the association has over 200 member institutions—including the historically black land-grant institutions—located in all 50 States. The association's overriding mission is to support high quality public education through efforts that enhance the capacity of member institutions to perform their traditional teaching, research, and public service roles.

About the Board on Oceans and Atmosphere

The Board on Oceans and Atmosphere's primary responsibility is to develop a federal relations program to advance research and education in the marine and atmospheric sciences. The board currently has approximately 200 regionally distributed members, including some of the Nation's most eminent research scientists, chief executive officers of universities, marine and atmospheric scientists, academic deans, and directors of Sea Grant programs.

PREPARED STATEMENT OF THE SURFRIDER FOUNDATION

On behalf of the Surfrider Foundation, I appreciate the opportunity to present this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation program for the San Miguel project in Puerto Rico.

The Surfrider Foundation is a non-profit environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches for all people, through conservation, activism, research and education. The Surfrider Foundation, is a grassroots organization with 64 chapters and over 50,000 members. We have a local chapter in Rincón, Puerto Rico and have been actively involved in coastal and ocean protection in Puerto Rico for over a decade, including the preservation of the NEC.

The Northeastern Ecological Corridor (NEC), comprising approximately 3,200 acres, is one of the Caribbean's last, great, unprotected areas. Located on the eastern corner of the main island of Puerto Rico within the municipalities of Luquillo and Fajardo, the NEC contains an extraordinary array of tropical habitats seldom found in other parts of the world. In addition to coral communities, mangroves, and pre-Columbian forests, all the different varieties of coastal wetlands found throughout Puerto Rico are represented within the NEC. The wetlands in this area are essential to the existence of a seasonal bioluminescent lagoon known as Laguna Aguas Prietas, an extremely rare biological phenomenon. The NEC is also home to several world-class surfing areas that represent some of the best surfing in the Caribbean.

The NEC's location within the foothills of the *El Yunque* Caribbean National Rain Forest adds to its great natural value and uniqueness. Originally set aside in 1876 by the Spanish Crown, the forest represents one of the oldest reserves in the Western Hemisphere and is the only tropical forest in the United States national forest system. The forest contains rare wildlife and is home to over 50 species of birds, including the Puerto Rican parrot—one of the ten most endangered species of birds in the world. The ecological diversity observed within these two related sites, varying from a coastal dry forest to a rain forest, lies within a corridor just 13 miles in length. Such diversity can only be enhanced by the conservation of NEC lands.

Available for acquisition in fiscal year 2007 is the 1,277-acre San Miguel property, consisting of three parcels within the NEC. These parcels contain extensive wetland areas contiguous to the Pitahaya, Juan Martin and Sabana rivers, and harbor an array of unique upland and wetland ecosystems. The project site includes some of the last remaining virgin forests on the island, as well as one of the last remaining unspoiled dune systems and a significant coral community immediately off shore. The property falls within the range of over 40 rare species of flora and fauna, including 16 federally threatened or endangered listed species, such as the hawksbill sea turtle, Virgin Island boa, Puerto Rican boa, brown pelican, Puerto Rican plain pigeon, West Indian manatee, and Cobana negra (a flowering plant). The area is best known, however, as one of the most important nesting grounds for leatherback sea turtles in the United States and the Caribbean. The project site also contains a variety of archeological resources, such as historical tools and structures.

At the present time, several multinational lodging corporations have proposed various mega luxury tourist-residential resorts within the NEC. One of the largest proposed developments would be built on the San Miguel tracts at the boundary of the municipalities of Luquillo and Fajardo. The San Miguel Resort would include 1,025 residential units, a 250-room resort/casino, a 175-unit hotel/casino, and two golf courses. The development would involve the filling of wetlands, channelization of rivers, and clearance of coastal vegetation, thus destroying the natural integrity of the NEC. If the San Miguel resort were to be constructed as planned, it would further deplete the limited water supplies needed by local communities, resulting in a deficit of over 4,000,000 gallons of water per day, a deficit which accounts for the water requirements of nearly 25,000 people. There is widespread concern as well about other negative impacts the development would have on this sensitive area, including destruction of wetlands and the degradation of key endangered species habitats.

Given the ongoing controversy over development of the property, including years of lawsuits, strong public opposition, and permitting difficulties, the owners have decided to make the land available for conservation. Federal agencies, the Commonwealth of Puerto Rico, and private parties have come together in an effort to preserve this remarkable coastal property. Public ownership will preserve the coastal resources, protect the rivers and wetlands, buffer *El Yunque* National Forest, and provide public beach access and recreational opportunities.

Approximately \$25 million will eventually be needed to complete the San Miguel acquisition. If this effort should fail, some form of development would likely occur on this highly sensitive property. A fiscal year 2007 appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation program is needed to further the protection of the San Miguel tracts. These funds will be matched by \$2.27 million in settlement funds from the Barge Berman Oil Spill (specifically for land acquisition), up to \$5.7 million of other oil spill settlement funds (for restoration categories), \$3 million committed by the Conservation Trust of Puerto Rico, and additional funds being raised by a local land trust and other interested private parties. I urge you to include this project in the fiscal year 2007 Commerce, Justice, and Science appropriations bill.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF THE PACIFIC SALMON COMMISSION

Mr. Chairman, my name is Roland Rousseau and I serve as an alternate commissioner on the Pacific Salmon Commission (PSC) and the chair of the Budget Committee for the U.S. Section of the Commission. The Pacific Salmon Treaty (Treaty) between the United States and Canada was entered into in 1985. A subsequent agreement was concluded in June of 1999 (1999 Agreement) that established new abundance-based fishing regimes under the treaty and made other improvements in the treaty's structure. During fiscal year 2007, the PSC will begin discussions on treaty provisions that conclude at the end of 2008. The U.S. Section recommends:

- Funding the Pacific Salmon Treaty Line Item of the National Marine Fisheries Service at \$8,000,000 for fiscal year 2007, restoring \$1,000,000 previously provided by Congress. This funding provides the technical support for the States of Alaska, Washington, Oregon and Idaho and the National Marine Fisheries Service to implement the salmon stock assessment and fishery management programs required to implement the treaty fishing regimes. Included within the total amount of \$8,000,000 is \$400,000 to continue a joint Transboundary River Enhancement program required by the treaty.
- Funding the Pacific Salmon Treaty Chinook Salmon Agreement account at \$1,844,000, level funding from that was provided by Congress for fiscal year 2006. This funding continues to be necessary to acquire the technical information to implement abundance based Chinook salmon management provided for under the 1999 Agreement.

The base treaty implementation projects include a wide range of stock assessment, fishery monitoring, and technical support activities for all five species of Pacific salmon in the fisheries and rivers from Southeast Alaska to those of Washington, Oregon, and Idaho. The States of Alaska, Washington, Oregon, and Idaho, and the National Marine Fisheries Service (NMFS), are charged with carrying out a major portion of the salmon fishery stock assessment and harvest management actions required under the treaty. Federal funding for these activities is provided through NMFS on an annual basis. The agency projects carried out under PSC funding are directed toward acquiring, analyzing, and sharing the information required to implement the salmon conservation and sharing principles of the treaty. A wide range of programs for salmon stock size assessments, escapement enumeration, stock distribution, and catch and effort information from fisheries, are represented. The information from many of these programs is used directly to establish fishing seasons and harvest levels. Congress increased this funding by \$2,000,000 in fiscal year 2005 to a total of \$8,000,000 to provide for programs needed to implement the new abundance based fishing regimes established under the 1999 Agreement. The 1999 Agreement updated provisions of the Pacific Salmon Treaty including fishing arrangements and abundance based management approaches for Chinook, southern Coho, Northern Boundary and Transboundary River fisheries. The \$400,000 that has been provided since 1988 for a joint Transboundary River enhancement program with Canada is included in this amount.

In 1996, the United States adopted an abundance-based approach to managing Chinook salmon fisheries in Southeast Alaska. Under this approach, Chinook harvest levels are based on annual estimates of Chinook abundance. This system replaced fixed harvest ceilings agreed to in 1985, which did not respond to annual fluctuations in Chinook salmon populations. Under the 1999 Agreement, this abundance based management approach was expanded to all Chinook fisheries subject to the treaty. Beginning in 1998, Congress provided \$1,844,000 to allow for the collection of necessary stock assessment and fishery management information to implement the new approach. Through a rigorous competitive technical review process, the States of Alaska, Washington, Oregon, and Idaho, and the 24 treaty tribes are using the funding to implement abundance-based Chinook salmon management coast-wide under the new agreement. The U.S. Section recommends level funding of \$1,844,000 for fiscal year 2007 to support the implementation of abundance-based Chinook salmon management.

The United States and Canada agreed to a joint salmon enhancement program on the Transboundary Rivers flowing between Canada and Southeast Alaska in 1988. Since 1989, Congress has provided \$400,000 annually for this effort through the National Marine Fisheries Service International Fisheries Commission line item under the Conservation and Management Operations activity. Canada provides an equal amount of funding and support for this bilateral program. This funding is included in the \$8,000,000 the U.S. Section is recommending for the fiscal year 2007 Pacific Salmon Treaty line item.

This concludes the statement of the U.S. Section of the PSC submitted for consideration by your committee. We wish to thank the committee for the support that it has given us in the past.

PREPARED STATEMENT OF THE WASHINGTON STATE DEPARTMENT OF ECOLOGY

On behalf of the Washington State Department of Ecology, I appreciate the opportunity to present this testimony in support of an appropriation of \$2 million from NOAA's Coastal and Estuarine Land Conservation program for the Turner's Bay project in Washington State.

The mission of the Washington State Department of Ecology is to protect, preserve, and enhance Washington's environment, and promote wise management of our air, land, and water for the benefit of current and future generations. The Washington State Department of Ecology manages a wide variety of programs, including the Coastal and Estuarine Land Conservation program.

Made up of a series of underwater valleys and ridges, Washington's Puget Sound is an estuary where salt water from the ocean mixes with fresh water from the many rivers and streams of the surrounding land. The 2,500-mile of shoreline is a mosaic of beaches, bluffs, deltas, mudflats, and wetlands. While much of the sound is healthy, recent growth and development in the region are stressing its ecosystem. Water pollution and sediments laden with toxic pollutants threaten the water quality of Puget Sound, which has seen sharp declines in populations of salmon, orcas, marine birds and rockfish. Nearly 85 percent of the basin's annual surface water runoff comes from 10 rivers, one of which is the Skagit River. The Skagit River delta is a biologically rich and complex area characterized by tidal marshes and flats, shrub/scrub wetlands, and prolific agricultural areas. The delta's river system sustains viable runs of all five species of Pacific salmon. In all, the delta provides habitat for more than 300 species of fish and wildlife, including eight federally endangered or threatened species.

Available for acquisition in fiscal year 2007 is the 456-acre Turner's Bay project, which lies within the Skagit delta. This property includes approximately 38 acres of tidelands and estuarine wetlands, 27 acres of tidal influenced shorelands (including a 4.2-acre spit) and an adjacent 391 acres of mixed deciduous/conifer forested uplands and wetlands, all located at the northern boundary of the Swinomish Reservation. Small forested wetlands border the southern end of the subject property. The length of shoreline to be acquired, including the spit, is approximately 7,180 feet.

Turner's Bay provides critical habitat for waterfowl, blue herons, juvenile salmon, shellfish and other aquatic life. Bald eagles are commonly seen foraging in the bay. The property contains the largest stretch of undeveloped estuarine habitat on the reservation and one of the largest of such areas remaining in the Skagit Bay system.

The Skagit delta is a popular recreation area for kayakers, shellfish harvesters, beachcombers, and birdwatchers. The public access provided by the Turner's Bay project would increase the availability of coast-dependent and nature-based recreation. The spit and undeveloped shoreline along the bay provide a unique natural environment—sandy shores, prolific tidelands, and rich wetlands—for the public to explore and enjoy. Turner's Bay is located along the Cascadia Marine Trail, a water trail that stretches from Olympia in south Puget Sound to Canada. The Cascadia Trail is a well-traveled route of many boaters exploring Puget Sound or heading farther north to the San Juan Islands.

The project area is also located just south of Highway 20, a State-designated scenic byway that runs the length of Whidbey Island to the west and provides a scenic east-west route across the Skagit Valley. The Washington State Department of Ecology manages the nearby 11,000-acre Padilla Bay National Estuarine Research Reserve which is funded by the National Oceanic and Atmospheric Administration. The area surrounding Turner's Bay and the greater Skagit Valley is under increasing development pressure as population in the Puget Sound basin continues to grow and spread from urban centers. Undeveloped, undisturbed waterfront property is an increasingly threatened commodity in Puget Sound, as retirees and owners of vacation homes discover the beauty of the Puget Sound shoreline. Acquisition of this parcel is a unique opportunity to preserve an enclave of pleasing and natural views amid a growing sea of suburban development.

Turner's Bay is of significant cultural importance to the Swinomish Tribe. Three archaeological sites have been identified along the shoreline in previous surveys. More significantly, Turner's Bay is a traditional subsistence shellfish harvest area for tribal members. The harvest and consumption of shellfish from tribal homelands is also an important cultural practice of tribal members and is central to Swinomish cultural identity. For this reason, the tribe would like to work with the State to acquire these tidelands, shorelands, and forested uplands that shelter and protect the quality of Turner's Bay. The tribe wishes to ensure appropriate stewardship of the abundant resources in the subject area. Additionally, some historians consider the spit in Turner's Bay to be a possible landing site of Captain George Vancouver's Puget Sound exploration party, as it fits the description and approximate location of one of their reported survey sites as they explored the area.

A fiscal year 2007 appropriation of \$2 million from the Coastal and Estuarine Land Conservation program will ensure the protection of this ecologically and culturally significant site on Turner's Bay, and I respectfully request that you to in-

clude this project in the Fiscal Year 2007 Commerce, Justice, and Science appropriations bill.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF THE CALIFORNIA INDUSTRY AND GOVERNMENT CENTRAL
CALIFORNIA OZONE STUDY (CCOS) COALITION

Mr. Chairman and members of the subcommittee: On behalf of the California Industry and Government Central California Ozone Study (CCOS) Coalition, we are pleased to submit this statement for the record in support of our fiscal year 2007 funding request of \$150,000 from the Department of Commerce/NOAA account for CCOS. These funds are necessary for the State of California to address the very significant challenges it faces to comply with new national ambient air quality standards for ozone and fine particulate matter. The study design incorporates recent technical recommendations from the National Academy of Sciences (NAS) on how to most effectively comply with Federal Clean Air Act requirements.

First, we want to thank you for your past assistance in obtaining federal funding for the Central California Ozone Study (CCOS) and California Regional PM₁₀/PM_{2.5} Air Quality Study (CRPAQS). Your support of these studies has been instrumental in improving the scientific understanding of the nature and cause of ozone and particulate matter air pollution in Central California and the Nation. Information gained from these two studies is forming the basis for the 8-hour ozone, PM_{2.5}, and regional haze State Implementation Plans (SIPs) that are due in 2007 (ozone) and 2008 (particulate matter/haze). As with California's previous SIPs, the 2007–2008 SIPs will need to be updated and refined due to the scientific complexity of our air pollution problem. Our request this year would fund the completion of CCOS to address important questions that won't be answered with results from previously funded research projects.

To date, our understanding of air pollution and the technical basis for SIPs has largely been founded on pollutant-specific studies, like CCOS. These studies are conducted over a single season or single year and have relied on modeling and analysis of selected days with high concentrations. Future SIPs will be more complex than they were in the past. The National Academy of Sciences (NAS) is now recommending a weight-of-evidence approach that will involve utilizing more broad-based, integrated methods, such as data analysis in combination with seasonal and annual photochemical modeling, to assess compliance with Federal Clean Air Act requirements. This will involve the analysis of a larger number of days and possibly an entire season. In addition, because ozone and particulate matter are formed from some of the same emissions precursors, there is a need to address both pollutants in combination, which CCOS will do.

Consistent with the new NAS recommendations, the CCOS study includes corroborative analyses with the extensive data provided by past studies, advances the state-of-science in air quality modeling, and addresses the integration of ozone and particulate pollution studies. In addition, the study will incorporate further refinements to emission inventories, address the development of observation-based analyses with sound theoretical bases, and includes the following four general components:

- Performing SIP modeling analyses, 2005–2011
- Conducting weight-of-evidence data analyses, 2006–2008
- Making emission inventory improvements, 2006–2010
- Performing seasonal and annual modeling, 2008–2011

CCOS is directed by Policy and Technical Committees consisting of representatives from Federal, State, and local governments, as well as private industry. These committees, which managed the San Joaquin Valley Ozone Study and are currently managing the California Regional Particulate Air Quality Study, are landmark examples of collaborative environmental management. The proven methods and established teamwork provide a solid foundation for CCOS.

For fiscal year 2007, our coalition is seeking funding of \$150,000 from the Department of Commerce/NOAA account in support of CCOS. California has a very complex terrain that includes mountain ranges, flat valleys, and long coastal regions. Some meteorological models are known to have difficulty in simulating high-resolution airflow over such complex terrain. NOAA has a vast amount of experience in applying meteorology models in several different areas of the country and their scientific know-how is a valuable asset to CCOS. This request will be used to continue NOAA's involvement in developing meteorological simulations for Central California, specifically longer-term simulations of seasonal and annual meteorology. The

long-term record of meteorological data in the CCOS database can be used to improve NOAA's meteorological forecasting abilities and in the evaluation of U.S. western boundary conditions for weather forecasting models.

As you know, NOAA is at the scientific forefront of the development of meteorological models including the Weather Research and Forecasting (WRF) model that is viewed as a replacement for the Mesoscale Meteorology Model, Version 5 (MM5). Thus, NOAA's involvement would facilitate the use of CCOS measurements in the development and refinement of WRF. In addition, NOAA has conducted prior research in the CCOS region on atmospheric airflows, sea breeze circulation patterns, nocturnal jets and eddies, airflow bifurcation, convergence and divergence zones, up-slope and down-slope flows, and up-valley and down-valley airflow. Thus, CCOS provides the opportunity to draw from or extend this research for a longer, multi-year time period. This research provides fundamental data needed to understand airflow over complex terrain, and has national applicability.

Thank you very much for your consideration of our request.

PREPARED STATEMENT OF THE AMERICAN GEOLOGICAL INSTITUTE

To the chairman and members of the subcommittee: The American Geological Institute (AGI) supports fundamental Earth science research sustained by the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), the National Institute of Standards and Technology (NIST) and the National Aeronautics and Space Administration (NASA). This frontier research has fueled economic growth, mitigated losses and sustained our quality of life. The subcommittee's leadership in expanding the federal investment in basic research is even more critical as our Nation competes with rapidly developing countries, such as China and India, for energy, mineral, air and water resources. Our Nation needs skilled geoscientists to help explore, assess and develop Earth's resources in a strategic, sustainable and environmentally-sound manner and to help understand, assess and reduce our risks to natural hazards. AGI supports full funding as authorized for NSF's EarthScope project and Research and Related Activities; full funding for NOAA's and NASA's Earth observing campaigns; and authorized support for NIST's and NSF's responsibilities in the National Earthquake Hazards Reduction Program (NEHRP).

The President's American Competitiveness Initiative calls for a doubling of physical science research funding in key federal agencies, while Bush's Advanced Energy Initiative calls for significant increases in energy research support. Both initiatives also include much needed support for education in the physical sciences and some specific incentives for education in the energy resources sector. Such initiatives are strongly supported by AGI.

AGI is a nonprofit federation of 44 geoscientific and professional societies representing more than 100,000 geologists, geophysicists, and other Earth scientists. Founded in 1948, AGI provides information services to geoscientists, serves as a voice for shared interests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role the geosciences play in society's use of resources and interaction with the environment.

NSF.—We applaud the President's request for an 8 percent increase in the overall budget for NSF and a 6 percent increase for the Geosciences Directorate. We hope that the subcommittee shares this commitment and can continue to strengthen our physical science research and education foundation through annual budget increases. Congress wisely authorized increased funding for NSF in Public Law 107-368, such that the total NSF budget would increase to \$9.84 billion in fiscal year 2007, however, NSF only received about \$5.6 billion in fiscal year 2006 and remains well short of this effective science policy objective. Although NSF remains underfunded, Congress and the administration are proposing annual increases to NSF's budget over the next 7 to 10 years.

AGI believes that such a forward-looking investment in tight fiscal times will pay important dividends in future development and innovation that drives economic growth, especially in critical areas of sustainable and economic natural resources and reduced risks from natural hazards.

NSF Geosciences Directorate.—The Geosciences Directorate is the principal source of federal support for academic Earth scientists and their students who are seeking to understand the processes that ultimately sustain and transform life on this planet. The President's budget proposal requests an increase of 6 percent (~\$42 million) for a total budget of about \$745 million, which AGI strongly supports. We would encourage increases in funding to allow NSF to strengthen core research by increasing the number and duration of grants. Now is the time to boost Earth science re-

search and education to fill the draining pipeline of skilled geoscientists and geo-engineers working in the energy industry; the construction industry, particularly on levees and dams; the environmental industry; the academic community, particularly on understanding natural hazards and the sustainability of our natural resources; the primary federal Earth science agencies, such as the United States Geological Survey; and in all areas of education.

NSF Major Research Equipment Account.—AGI urges the subcommittee to support the Major Research Equipment, Facilities and Construction budget request of \$27.4 million for EarthScope. We also support funding of \$42.88 million to complete construction of the Scientific Ocean Drilling Vessel, \$13.5 million to begin construction of the Ocean Observatories Initiative (OOI) and \$56 million to begin construction of the Alaska Region Research Vessel.

EarthScope—begun thanks to the previous subcommittee's support in fiscal year 2003—will systematically survey the structure of Earth's crust beneath North America, imaging faults at depth, hidden faults and other structures that range from hazardous to economically-valuable. The fiscal year 2007 request includes continued support for deployment of three components: a dense array of digital seismometers across the country; a 4-km deep borehole through the San Andreas Fault, housing a variety of instruments that can continuously monitor the conditions within the fault zone; and a network of state-of-the-art Global Positioning System (GPS) stations and sensitive strain meters to measure the deformation of the constantly shifting boundary between the Pacific and North American tectonic plates in an area susceptible to large earthquakes and tsunamis.

EarthScope has very broad support from the Earth science community and received a very favorable review from the National Research Council's 2001 report entitled "Review of EarthScope Integrated Science". All data from this project will be available in real time to scientists, students and the public, providing a tremendous opportunity for research and learning about Earth. Involving the public in Earth science research will increase appreciation of how such research can lead to improvements in understanding the environment, utilizing natural resources and mitigating natural hazards. EarthScope can also provide a mechanism to integrate a broad array of Earth science research data in a unified system to promote cross-disciplinary research and avoid duplication of effort.

NSF Support for Earth Science Education.—Congress can improve the Nation's scientific literacy by supporting the full integration of Earth science information into mainstream science education at the K–12 and college levels. AGI strongly supports a new grant program in the Geosciences Directorate called GEO-TEACH, which will support projects to improve the quality of geosciences instruction, primarily at middle to high school levels. We also support the Math and Science Partnership (MSP) program, a competitive peer-reviewed grant program that funds only the highest quality proposals at NSF. The NSF's MSP program focuses on modeling, testing and identification of high-quality math and science activities whereas the Department of Education MSP program does not. The NSF and Department of Education MSP programs are complementary and are both necessary to continue to reach the common goal of providing world-class science and mathematics education to elementary and secondary school students. AGI opposes the transfer of the MSP from NSF to the Department of Education.

Improving geoscience education to levels of recognition similar to other scientific disciplines is important because:

- Geoscience offers students subject matter that has direct application to their lives and the world around them, including energy, minerals, water and environmental stewardship.
- Geoscience exposes students to a diverse range of interrelated scientific disciplines. It is an excellent vehicle for integrating the theories and methods of chemistry, physics, biology, and mathematics.
- Geoscience awareness is a key element in reducing the impact of natural hazards on citizens—hazards that include earthquakes, volcanic eruptions, hurricanes, tornadoes, and floods. For example, lives were saved in the tragic Indian Ocean tsunami by a 12-year-old girl who understood the warning signs of an approaching tsunami and warned others to seek higher ground after completing an Earth science class.
- Geoscience provides the foundation for tomorrow's leaders in research, education, utilization and policy making for Earth's resources and our Nation's strategic, economic, sustainable and environmentally-sound natural resources development.

NOAA.—AGI applauds the President's request for increased funding for the National Weather Service and the National Environmental Satellite, Data and Information Service (NESDI) within NOAA. The National Weather Service budget in-

cludes support for weather data buoys, strengthening the U.S. tsunami warning program, support of the Air Quality Forecasting Program, support for the Space Environment Center, support for the U.S. Weather Research Program, and continued implementation of the Advanced Hydrological Prediction Services. AGI also supports the proposed increased funding for NESDI for the development of the geostationary operational environmental satellite (GOES-R) and the National Polar-Orbiting Operational Environmental Satellite System (NPOESS). Both satellite systems will maintain a global view of the planet to continuously watch for atmospheric triggers of severe weather conditions such as tornadoes, flash floods, hailstorms, and hurricanes. The Office of Oceanic and Atmospheric Research and the Office of National Ocean Service have large proposed budget cuts to their overall budgets that would decimate vital programs related to the health and sustainability of the ocean, protecting coastlines and atmospheric research. AGI asks that these large reductions be minimized through congressional consideration of oceanic and coastal priorities in this post-Katrina fiscal year.

NIST.—For fiscal year 2007, the President's request calls for \$2 million for earthquakes, wind hazards, wildfires at the urban interface and complex systems-multi-hazards analysis at NIST. About 70 percent of these funds will be directed toward the National Earthquake Hazards Reduction Program (NEHRP) and wind hazards. AGI strongly supports funding for NEHRP within NIST. NIST is the lead agency for NEHRP (authorized to receive \$6 to \$13 million over 5 years), but has never received any funding in the past. AGI strongly supports NEHRP funds for NIST and we further support the proposed increases in funding for core laboratory functions at NIST to ensure that NEHRP funds are protected.

NASA.—AGI supports the vital Earth observing programs within NASA. Currently the topography of Mars has been measured at a more comprehensive and higher resolution than Earth's surface. While AGI is excited about space exploration and the President's Vision for Exploration, we firmly believe that NASA's Earth observing program is effective and vital to solving global to regional puzzles about Earth systems, such as how much and at what rate is the climate changing. The Earth-Sun System within the Science Mission Directorate funds the agency's Earth science programs. AGI strongly supports the requested increase in funding for the Landsat Data Continuity Mission, which will ensure support for the launch of a new Landsat satellite and the transfer of the data to the United States Geological Survey. Unfortunately other vital Earth science programs will be cut and missions will be delayed because of proposed budget reductions within the Earth-Sun System. AGI hopes these small reductions can be restored to ensure NASA's unique Earth observations.

I appreciate this opportunity to provide testimony to the subcommittee and would be pleased to answer any questions or to provide additional information for the record. I can be reached at 703-379-2480 ext. 228 (voice), 703-379-7563 (fax), rowan@agiweb.org, or 4220 King Street, Alexandria VA 22302-1502.

PREPARED STATEMENT OF THE AMERICAN SOCIETY OF PLANT BIOLOGISTS

Thank you, Mr. Chairman, for the opportunity for the American Society of Plant Biologists (ASPB) to present this testimony in support of the President's fiscal year 2007 budget request for the National Science Foundation. We urge the committee to support the President's American Competitiveness Initiative and its request for an increase of \$439 million for the National Science Foundation. The proposed budget for NSF represents a 7.9 percent increase to \$6 billion. The President's proposed increase for the Biological Sciences Directorate is \$31 million, or 5.4 percent.

This level of funding will enable NSF to continue to play its key role in establishing a leadership position for the United States in science and technology. U.S. leadership in a wide range of science disciplines is needed to compete and survive in the increasingly challenging global market.

The ACI will double investment in research over 10 years sponsored by the National Science Foundation, Department of Energy Office of Science and National Institute of Standards and Technology (NIST).

The ACI provides increased investment in research needed for continued growth of the Nation's economy. The Nation's ability to generate job-creating industries, remain competitive in the global market and improve the quality of life of consumers would be enhanced through committee approval of The President's fiscal year 2007 budget request implementing ACI.

Shifts are occurring in the world with regard to ability to attract science talent and in relation to government and private investment in research. Indicators such as number of scientists entering the workforce and increased success in publishing

research findings in peer-reviewed science journals show that the United States may encounter increased difficulties in competing with what are now considered developing nations.

China, India, South Korea and other developing nations are following national policies that are increasing their capacity and strength in science and technology.

China is an excellent example for further consideration of what world neighbors/global competitors are doing in science and science-related industries. A huge workforce of qualified and inexpensive talent in science, combined with a market of 1.3 billion consumers is making China particularly attractive to multinational companies.

Four years ago, there were 200 foreign-invested research and development centers in China. Today there are some 750. As the Wall Street Journal reported March 13, 2006, Procter & Gamble Co. opened a research arm in China in 1988 with just two dozen employees. Back in 1988, P&G employees in China mainly studied Chinese consumer laundry habits and oral hygiene. Today, P&G runs five R&D facilities in China with approximately 300 researchers. They work "on everything from Crest toothpaste to Oil of Olay face cream." New formulations of Tide laundry detergent developed in the China-based facilities now sell in markets beyond China, including other parts of Asia, Eastern Europe and Latin America.

"We are developing capabilities in China that we can use globally," P&G Technology Director in Beijing Dick Carpenter explained.

In addition to a huge talent pool, including about 1 million university graduates each year in science or engineering, China is offering its students in the United States and other nations incentives to return once they graduate. These incentives include generous research grants and chances to run their own R&D projects. Science graduates returning to China can secure enough backing to build up their own lab and even extend their research in one direction for about 10 years, the Wall Street Journal article noted.

In the United States, that same science graduate would face extraordinary competition to win a federally sponsored research grant award. In some areas of study in the United States, the chances of a scientist succeeding with a competitive grant application is no better than one in ten. Failure to win research grant awards translates into an abbreviated science career in academic research.

China's central government plans to increase spending on science and technology by nearly 20 percent this year. "China has entered a stage in its history where it must increase its reliance on scientific and technological advances and innovation to drive social and economic development," commented Chinese Premier Wen Jiabao.

The United States continues to rely heavily on science students from China and other nations to remain in the United States after graduation to build their careers and new job-creating technologies. However, more graduates are expected to return home to China and other countries where opportunities in science careers are now perceived to be brighter. With the United States already conceding far lower labor, land and building costs to global competitors such as China and other nations, how long will our Nation be able to compete if we also concede preeminence in science and technology?

If science and technology research and development follow textile, steel, U.S. company-based auto production, and other manufacturing industries moving beyond our borders, the United States, already laboring under record trade deficits, will be weaker on a relative scale to the new "producer nations."

More record trade deficits and higher interest rates for our increasingly debtor Nation could be expected to result—significantly driving up the costs to the federal budget for debt service. It is possible that the cost of the total federal science budget in future years would be just a fraction of the cost of the increase in federal debt service if the United States loses science and technology preeminence.

NSF is the leading supporter of university-based research in many key areas, including plant science. Contributions by universities conducting NSF-supported research to the local economy also contribute to a stronger national economy. With the higher labor, housing, transportation, commercial and industrial property and related costs found in the United States compared to a number of world nation competitors, federal investment in science and education through support of NSF is desperately needed to help keep the Nation's businesses capable of competing.

NSF support for basic plant research contributes to the local economies nationwide, including rural areas, while helping to secure the food supply of all Americans. As the first step of every food chain, plants and research on plants plays an essential role in meeting the nutritional needs of people here and abroad. The NSF Directorate for Biological Sciences sponsors examination of basic research questions on plants and other organisms. A number of plant research discoveries were cited

by NSF among its most significant advances in science over the first 50 years of the agency's existence.

NSF supports world leading plant genomic research as part of the Plant Genome Research Program. The National Plant Genome Initiative Progress Report was published January 2005 by the National Science and Technology Council Committee on Science Interagency Working Group on Plant Genomes. The report noted, "Plant genome research holds enormous promise for solving global problems in agriculture, health, energy and environmental protection. Much still remains to realize this potential and the U.S. scientific community is clearly working toward that goal."

The report cited the importance of research on economically important crops and on the model plant, *Arabidopsis thaliana*—a plant with a small and simple genome. Knowledge gained from the *Arabidopsis* genome facilitates understanding of other economically important plants through use of comparative genomics. The *Arabidopsis* 2010 Project within NSF will provide scientists with knowledge of the function of each gene in *Arabidopsis*. This will lead to similar discoveries in crops grown by America's farmers. This knowledge will help scientists to develop superior crops that are domestic sources of food, fuel, industrial chemicals, fiber and pharmaceutical products. These advances will significantly benefit America's farmers and consumers.

Again, we urge you to support The President's American Competitiveness Initiative, including the NSF Budget Request for 2007.

ASPB is a non-profit society representing nearly 6,000 scientists conducting research primarily at universities. ASPB's membership also includes scientists in federal service and in private commerce. We publish the two most widely cited journals in plant science, *The Plant Cell* and *Plant Physiology*. Please let us know if we could provide any additional information.

Thank you for your continued strong support of science research and education.

PREPARED STATEMENT OF THE GREAT LAKES INDIAN FISH AND WILDLIFE
COMMISSION

Agency involved: Department of Justice.

Program involved: COPS Tribal Resources Grant Program (TRGP).

Summary of GLIFWC's Fiscal Year 2007 Testimony

GLIFWC requests that Congress: (1) specifically authorize eligibility for tribes' special law enforcement agencies, including fish and wildlife departments and game wardens, to participate in the COPS Tribal Resources Grant Program,¹ and (2) support the administration's proposal to fund this program at \$31,650,000 in fiscal year 2007, an increase of \$16,650,000 above last year's congressional appropriation.

Disclosure of DOJ Grants Contracted

GLIFWC is an intertribal organization which, under the direction of its member tribes, implements federal court orders governing tribal harvests of off-reservation natural resources and the formation of conservation partnerships to protect and enhance natural resources within the 1836, 1837, and 1842 ceded territories. Under COPS Tribal Resources Grant Program, GLIFWC contracted:

- \$108,034 in fiscal year 2004 for the purpose of purchasing patrol vehicles (three patrol trucks, an ATV and a snowmobile), digital cameras, and providing instructor development and basic recruit training; and
- \$98,444 in fiscal year 2005 for the purpose of purchasing thermal imaging and digital cameras, continuing instructor certification and providing basic recruit re-certification training, and supplying standard issue items.

¹Unlike previous years and without notice or explanation, the Fiscal Year 2006 Application Guide for the TRGP provides: Special law enforcement agencies such as fish and wildlife departments, game wardens, park and recreation departments, and environmental protection agencies are not eligible to apply under this program at this time.



Ceded Territory Treaty Rights and GLIFWC'S Role

GLIFWC was established in 1984 as a "tribal organization" within the meaning of the Indian Self-Determination Act (P.L. 93-638). It exercises authority delegated by its member tribes to implement federal court orders and various interjurisdictional agreements related to their treaty rights. GLIFWC assists its member tribes in:

- securing and implementing treaty guaranteed rights to hunt, fish, and gather in Chippewa treaty ceded territories; and
- cooperatively managing and protecting ceded territory natural resources and their habitats.

For the past 22 years, Congress and administrations have funded GLIFWC through the BIA, Department of Justice and other agencies to meet specific federal obligations under: (a) a number of US/Chippewa treaties; (b) the federal trust responsibility; (c) the Indian Self-Determination Act, the Clean Water Act, and other legislation; and (d) various court decisions, including a 1999 United States Supreme Court case, affirming the treaty rights of GLIFWC's member tribes. GLIFWC serves as a cost efficient agency to conserve natural resources, to effectively regulate harvests of natural resources shared among treaty signatory tribes, to develop cooperative partnerships with other government agencies, educational institutions, and non-governmental organizations, and to work with its member tribes to protect and conserve ceded territory natural resources.

Under the direction of its member tribes, GLIFWC operates a ceded territory hunting, fishing, and gathering rights protection/implementation program through its staff of biologists, scientists, technicians, conservation enforcement officers, and public information specialists.

Community-Based Policing

GLIFWC's officers carry out their duties through a community-based policing program. The underlying premise is that effective detection and deterrence of illegal activities, as well as education of the regulated constituents, are best accomplished if the officers live and work within tribal communities that they primarily serve. The officers are based in 10 satellite offices located on the reservations of the following member tribes: In Wisconsin—Bad River, Lac Courte Oreilles, Lac du Flambeau, Red Cliff, Sokaogon Chippewa (Mole Lake) and St. Croix; in Minnesota—Mille Lacs; and in Michigan—Bay Mills, Keweenaw Bay and Lac Vieux Desert.

Interaction With Law Enforcement Agencies

GLIFWC's officers are integral members of regional emergency services networks in Minnesota, Michigan and Wisconsin. They not only enforce the tribes' conservation codes, but are fully certified officers who work cooperatively with surrounding authorities when they detect violations of State or federal criminal and conservation laws. These partnerships evolved from the inter-governmental cooperation required

to combat the violence experienced during the early implementation of treaty rights in Wisconsin. As time passed, GLIFWC's professional officers continued to provide a bridge between local law enforcement and many rural Indian communities. GLIFWC remains at this forefront, using DOJ funding to develop inter-jurisdictional legal training attended by GLIFWC officers, tribal police and conservation officers, tribal judges, tribal and county prosecutors, and State and federal agency law enforcement staff. DOJ funding has also enabled GLIFWC to certify its officers as medical emergency first responders trained in the use of defibrillators, and to train them in search and rescue, particularly in cold water rescue techniques. When a crime is in progress or emergencies occur, local, State, and federal law enforcement agencies look to GLIFWC's officers as part of the mutual assistance networks of the ceded territories. These networks include the Wisconsin Department of Natural Resources, Minnesota Department of Natural Resources, Michigan Department of Natural Resources, U.S. Coast Guard, USDA-Forest Service, State Patrol and Police, county sheriffs departments, municipal police forces, fire departments and emergency medical services.

GLIFWC Programs Funded By DOJ

GLIFWC recognizes that adequate communications, training, and equipment are essential both for the safety of its officers and for the role that GLIFWC's officers play in the proper functioning of interjurisdictional emergency mutual assistance networks in the ceded territories. GLIFWC's COPS grants for the past 6 years have provided a critical foundation for achieving these goals. Significant accomplishments with Tribal Resources Grant Program funds include:

Improved Radio Communications and Increased Officer Safety.—GLIFWC replaced obsolete radio equipment to improve the capacity of officers to provide emergency services throughout the Chippewa ceded territories. GLIFWC also used COPS funding to provide each officer a bullet-proof vest, night vision equipment, and in-car video cameras to increase officer safety.

Emergency Response Equipment and Training.—Each GLIFWC officer has completed and maintains certification as a first responder and in the use of life saving portable defibrillators. Since 2003, GLIFWC officers carried first responder kits and portable defibrillators during their patrol of 275,257 miles throughout the ceded territories. In remote, rural areas the ability of GLIFWC officers to respond to emergencies provides critical support of mutual aid agreements with Federal, State, and local law enforcement agencies.

Ice Rescue Capabilities.—Each GLIFWC officer maintains certification in ice rescue techniques and was provided a Coast Guard approved ice rescue suit. In addition, each of GLIFWC's 10 reservation satellite offices was provided a snowmobile and an ice rescue sled to participate in interagency ice rescue operations with county sheriffs departments and local fire departments.

Wilderness Search and Rescue Capabilities.—Each GLIFWC officer completed wilderness search and rescue training. The COPS Tribal Resources Grant Program also enabled GLIFWC to replace a number of vehicles that were purchased over a decade ago, including 10 ATV's and 16 patrol boats and the GPS navigation system on its 31 foot Lake Superior patrol boat. These vehicles are used for field patrol, cooperative law enforcement activities, and emergency response in the 1837 and 1842 ceded territories. GLIFWC officers also utilize these vehicles for boater, ATV, and snowmobile safety classes taught on Reservations as part of the Commission's Community Policing Strategy.

Hire, Train and Equip Three Additional Officers.—Funding has been contracted to provide three additional officers to ensure tribes are able to meet obligations to both enforce off-reservation conservation codes and effectively participate in the myriad of mutual assistance networks located throughout a vast region covering 60,000 square miles.

Consistent with numerous other federal court rulings on the Chippewa treaties, the United States Supreme Court re-affirmed the existence of the Chippewa's treaty-guaranteed usufructuary rights in *Minnesota v. Mille Lacs Band*, 526 U.S. 172 (1999). As tribes have re-affirmed rights to harvest resources in the 1837 ceded territory of Minnesota, workloads have increased. But for GLIFWC's COPS grants, this expanded workload, combined with staff shortages would have limited GLIFWC's effective participation in regional emergency services networks in Minnesota, Michigan and Wisconsin. The effectiveness of these mutual assistance networks is more critical than ever given: (1) national homeland security concerns, (2) State and local governmental fiscal shortfalls, (3) staffing shortages experienced by local police, fire, and ambulance departments due to the call up of National Guard and military reserve units, and (4) the need to cooperatively combat the spread of methamphetamine production in rural areas patrolled by GLIFWC conservation officers.

Examples of the types of assistance provided by GLIFWC officers are provided below:

- As trained first responders, GLIFWC officers routinely respond to, and often are the first to arrive at, snowmobile accidents, heart attacks, hunting accidents, and automobile accidents (throughout the ceded territories) and provide sheriffs departments valuable assistance with natural disasters (e.g. floods in Ashland County and a tornado in Siren, Wisconsin).
- Search and rescue for lost hunters, fishermen, hikers, children, and the elderly (Sawyer, Ashland, Bayfield, Burnett, and Forest Counties in Wisconsin and Baraga, Chippewa, and Gogebic Counties in Michigan).
- Being among the first to arrive on the scene where officers from other agencies have been shot (Bayfield, Burnett, and Polk Counties in Wisconsin) and responding to weapons incidents (Ashland, Bayfield, Burnett, Sawyer, and Vilas Counties in Wisconsin).
- Use of a thermal imaging camera (purchased through the COPS program) to track an individual fleeing the scene of an accident (Sawyer County, Wisconsin).
- Organize and participate in search and rescues of ice fishermen on Lake Superior (Ashland and Bayfield Counties in Wisconsin), Lake Superior boats (Baraga County in Michigan and with the U.S. Coast Guard in other parts of western Lake Superior), and kayakers (Bayfield County in Wisconsin).

GLIFWC is proposing to utilize DOJ TRGP funding for training and equipment to: (1) recognize, secure and respond appropriately to potential methamphetamine production sites, (2) identify addicts while on patrol, and (3) improve community awareness through hunter safety classes. Simply put, supporting GLIFWC's officers will not only assist GLIFWC in meeting its obligations to enforce tribal off-reservation codes, but it will enhance intergovernmental efforts to protect public safety and welfare throughout the region in the States of Wisconsin, Minnesota, and Michigan. The COPS Tribal Resources Grant Program provides essential funding for equipment and training to support GLIFWC's cooperative conservation, law enforcement, and emergency response activities. We ask Congress to support increased funding for this program.

PREPARED STATEMENT OF FLORIDA STATE UNIVERSITY

Mr. Chairman, I would like to thank you and the members of the subcommittee for this opportunity to present testimony before this committee. I would like to take a moment to briefly acquaint you with Florida State University.

Located in Tallahassee, Florida's capitol, Florida State University is a comprehensive Research I university with a rapidly growing research base. The university serves as a center for advanced graduate and professional studies, exemplary research, and top-quality undergraduate programs. Faculty members at FSU maintain a strong commitment to quality in teaching, to performance of research and creative activities, and have a strong commitment to public service. Among the current or former faculty are numerous recipients of national and international honors including Nobel laureates, Pulitzer Prize winners, and several members of the National Academy of Sciences. Our scientists and engineers do excellent research, have strong interdisciplinary interests, and often work closely with industrial partners in the commercialization of the results of their research. Florida State University had over \$182 million this past year in research awards.

Florida State University attracts students from every State in the Nation and more than 100 foreign countries. The university is committed to high admission standards that ensure quality in its student body, which currently includes National Merit and National Achievement Scholars, as well as students with superior creative talent. We consistently rank in the top 25 among U.S. colleges and universities in attracting National Merit Scholars to our campus.

At Florida State University, we are very proud of our successes as well as our emerging reputation as one of the Nation's top public research universities.

Mr. Chairman, let me summarize our primary interests today.

In 2004, Congress funded a project for Florida to share its exemplary juvenile justice education program model with other States in order to assist them in their respective implementation of No Child Left Behind (NCLB). In fiscal year 2005, Phase I, the project's staff initiated a series of activities to establish collaborative working partnerships with each State. The activities included: conducting a national survey of each State's juvenile justice education practices; holding a national meeting involving key constituents from each State to review the project's purposes, discussing the national survey findings; reviewing the NCLB requirements and Florida's program components and practices; and agreeing upon a grouping of States with simi-

lar systems and NCLB challenges. From this agreed upon grouping of States, preliminary plans for each State's implementation of the NCLB requirements for juvenile justice education systems were drafted for follow-up review by each State.

In fiscal year 2007, Phase II, the project will extend this effort by holding a series of meetings with different State groups to review, discuss and reach consensus upon each State's final plan for implementation of the NCLB requirements. The final implementation plans will be informed by the implementation experiences and impediments that Florida confronted and overcame. Additionally, the thoughts, concerns and potential solutions that the key State constituents provide will be incorporated into each State's implementation plan to ensure consensus between individual States and the project staff. Following these meetings and the development of each State's final NCLB juvenile justice education implementation plan, the project staff will make periodic follow-up State visits to assess their implementation efforts and effectively deal with any encountered problems by providing training and technical assistance. Further, the project staff, in collaboration with key State constituents, will develop and implement a national evaluation design to report each State's NCLB implementation progress and student learning outcomes. A quarterly report will be sent to each State, the U.S. Department of Justice, and the U.S. Department of Education describing the project's activities and progress, and individual State outcomes. Additionally, the project will design a national longitudinal study on how improved quality in juvenile justice education impacts the incidence of delinquency nationwide. The study will provide data on the role of NCLB implementation in successfully reducing delinquency in individual States as well as across the Nation.

Mr. Chairman, we believe this research is vitally important to our country and would appreciate your support.

PREPARED STATEMENT OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS

The American Society of Civil Engineers (ASCE) is pleased to offer this testimony on the proposed budgets for the National Science Foundation (NSF) and the National Institutes of Standards and Technology (NIST) for fiscal year 2007. The President's American Competitive Initiative (ACI) with its focus on research and development at NIST and NSF will pay dividends for the country in many areas. ASCE is encouraged by and supports ACI and with it, the administration's request for \$6.02 billion request for NSF and \$581.3 million for NIST.

ASCE believes that technological innovation has been the engine that drove the Nation's economy expansion of the last 50 years. ASCE firmly believes that by maintaining strong continuing and steadily increasing support for the research and education we will continue to enjoy the rewards of economic expansion. If we do not continue to invest in research and technology, we will lose our position in an ever more integrated and competitive world. The basic research funded by NSF, in engineering and all other areas of science, is the foundation of that investment in the future. Global competition increasingly requires the United States to make the necessary investments in science and engineering research and education.

ASCE, founded in 1852, is the country's oldest national civil engineering organization representing 139,000 civil engineers in private practice, government, industry and academia dedicated to the advancement of the science and profession of civil engineering. ASCE is a 501(c)(3) non-profit educational and professional society.

NATIONAL SCIENCE FOUNDATION (NSF)

ASCE supports the administration's fiscal year 2007 budget request of \$6.02 billion for the National Science Foundation (NSF).

Math and Science Partnerships.—We encourage you to continue the federal commitment to math and science education by maintaining the peer-reviewed Math and Science Partnerships (MSP's) at the NSF and supporting robust funding for both the U.S. Department of Education (ED) and the NSF Math and Science Partnership programs. We urge you to oppose the administration's budget proposal that would phase-out the NSF MSP program in favor of the new federal grant administered by the Secretary of Education that would, in effect, limit individual States discretion to target much-needed funds for local science and mathematics education reforms.

National Earthquake Hazards Reduction Program.—For the past 25 years NEHRP has provided the resources and leadership that have led to significant advances in understanding the risk earthquakes pose and the best ways to counter them. Under NEHRP, there has been a constant source of funding for seismic monitoring, mapping, research, testing, code development, mitigation and emergency preparedness. A recent study and report by the Multihazard Mitigation Council entitled "*Natural Hazard Mitigation Saves: An Independent Study to Assess the Future Sav-*

ings from Mitigation Activities,” has concluded the money spent on reducing the risk of natural hazards is a sound investment. On average, a dollar spent by FEMA on hazard mitigation provides the Nation about \$4 in future benefits. The type of research to be conducted under this program has the potential to greatly increase the benefit.

The NSF strives to advance fundamental knowledge in earthquake engineering, Earth science processes, and societal preparedness and response to earthquakes. Additionally, the George E. Brown, Jr. Network for Earthquake Engineering Simulation (NEES), operated by NSF, will expand knowledge through new methods for experimental and computational simulation.

ASCE requests that Congress direct NSF to acknowledge the \$40.3 million funding level for NEHRP responsibilities at NSF and to urge NSF to fulfill that obligation. We further support the administration request of \$21.27 million for the operation of the Network for Earthquake Engineering Simulation at NSF and ask that Congress urge NSF to maximize the potential of Network Earthquake Engineering Simulation (NEES) through research grants.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

ASCE supports the President’s requested budget for NIST of \$581.3 million for fiscal year 2007 and would strongly urge Congress to fully appropriate the request as presented. ASCE is concerned that money requested for NIST’s core laboratory and standards activities may be moved to fund other programs, as has happened in the past.

Scientific and Technical Research and Services (STRS).—These are NIST’s core programs that provide the measurements and standards on which the Nation’s industry stands and grows. The NIST laboratories provide industry and the science and engineering community with the measurement capabilities, standards, evaluated reference data, and test methods that provide a common language needed at every stage of technical activity. U.S. scientists rely on NIST’s evaluated data services and measurement expertise for a host of basic and applied research activities.

ASCE supports the administration’s request of \$467 million to fund the core programs at NIST. If fully appropriated, the funding would permit NIST to carry out its core responsibilities and greatly enhance U.S. competitiveness.

Building and Fire Research Laboratory.—ASCE believes that the services provided by the Building and Fire Research Laboratory (BFRL) are invaluable to the building industry. BFRL works to improve the productivity of U.S. construction industries and serves as the premier fire research laboratory in the United States. It develops technologies to predict measure and test the performance of construction materials, components and practices. BFRL is the Nation’s central laboratory for providing the tools (i.e. research and measurements) needed to rebuild the Nation’s infrastructure.

Laboratory activities include: fire science and fire safety engineering; building materials; computer-integrated construction practices; structural, mechanical and environmental engineering; and building economics. The laboratory conducts investigations at the scene of major fires and structural failures due to earthquake, hurricanes or other causes. The knowledge gained from these investigations guides research and is applied to recommendations for design and construction practices to reduce future hazards.

Construction is one of the Nation’s largest industries, comparable in size to the health care and agricultural industries. Like those vital areas of the Nation’s economy, the construction industry needs research and development to enhance international competitiveness and increase public health and safety. Funding for construction related research, from all sources, is a fraction of that available to the healthcare and agricultural industries. Due to the fragmented nature of the construction industry, the private sector does not have the resources to conduct the needed research and development on its own.

National Construction Safety Team Act.—Public Law 107–231 created the National Construction Safety Team at NIST with the mandate to investigate major building failures within the United States. The investigations are to establish the technical causes of building failures and evaluate the technical aspects of emergency response. The goal is to recommend improvements to the way in which buildings are designed, constructed, maintained and used. ASCE supported this act; however ASCE believes that NIST must be provided with the necessary resources. The National Construction Safety Team (NCST) Advisory Committee, established by the act, recently released its first annual report to Congress which included a number of recommendations including the creation of a NCST office and funding.

ASCE supports these recommendations and urges Congress to appropriate an additional \$2 million in fiscal year 2006 to create a NCST office within the Building and Fire Research Laboratory at NIST.

National Earthquake Hazards Reduction Program (NEHRP).—The 2004 reauthorization of NEHRP has given the National Institute of Standards and Technology (NIST) new responsibility as the lead agency for NEHRP and an expanded role in problem-focused research and development in earthquake engineering. However, in order for NIST to fully carry out its responsibilities, the NEHRP Coalition supports the full funding levels contained in the reauthorization for fiscal year 2007 of \$12.1 million for NEHRP responsibilities at NIST.

In addition to its leadership role, NIST is now specifically tasked to carry out problem-focused research and development in earthquake engineering aimed at improving building codes and standards for both new and existing construction and advancing seismic practices for structures and lifelines.

ASCE applauds NIST's commitment to NEHRP by making money available and moving ahead with its responsibilities as the NEHRP lead agency in fiscal year 2006. The President's commitment for fiscal year 2007 by adding \$2 million for structural safety in hurricanes, fires and earthquake in fiscal year 2007 will enable NIST to increase and expand its efforts.

The NEHRP supports the President's request for \$2 million for structural safety at NIST. In order for NIST to fully realize the potential benefits of NEHRP, the NEHRP Coalition urges Congress to build on the proposal of the administration by appropriating the full funding levels contained in the reauthorization for fiscal year 2007 of \$12.1 million for NEHRP responsibilities at NIST.

NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM AT NIST AND NSF

In October 2004 the President signed Public Law 108–360 authorizing the creation of the National Windstorm Impact Reduction Program. As recent events on the Nation's Gulf coast have so vividly illustrated, the Nation remains highly vulnerable to major windstorms. We have not yet fully calculated the full the damage inflicted by Hurricanes Katrina, Rita and Wilma, but it will well exceed \$150 billion.

This vulnerability was recognized by Congress in 2004 when it created the National Windstorm Impact Reduction Program. However, while the program has been authorized for fiscal year 2006 through fiscal year 2008, there has been no appropriation of funds or specific budget request.

ASCE urges full funding for the National Windstorm Impact Reduction Program. For fiscal year 2007 the law authorizes \$25 million in spending, spread between federal four agencies. The Coalition urges the Congress to support full funding levels. Specifically, for the agencies under the jurisdiction of this subcommittee, the law authorizes:

- \$9.4 million for the National Science Foundation (NSF);
- \$4 million for the National Institute of Standards and Technology (NIST); and
- \$2.2 million for the National Oceanic and Atmospheric Administration (NOAA).

Once again, thank you for the opportunity for ASCE to express its views. If you need more information, contact Martin Hight, ASCE Senior Manager of Government Relations at (202) 326–5125 or by e-mail at mhight@asce.org.

PREPARED STATEMENT OF THE GAVIOTA COAST CONSERVANCY

Mr. Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of an appropriation of \$1 million from NOAA's Coastal and Estuarine Land Conservation Program for Gaviota State Park.

Gaviota State Park is located 125 miles north of Los Angeles, on a remote section of Santa Barbara County's Gaviota Coast, a 76 mile stretch of California's coastline straddling two distinct bioregions in the transition between Southern and Central California. The Gaviota Coast is situated between the Channel Islands National Marine Sanctuary and the Los Padres National Forest where there is a wide variety of biological, recreational and agricultural resources.

As the largest portion (50 percent) of Southern California's remaining undeveloped coastline, the Gaviota Coast is a high priority area for conservation. According to the Nature Conservancy, coastal Southern California has the highest density of imperiled species of anywhere in the United States. As part of the only coastal Mediterranean biome in America, the Gaviota Coast is the last, best, safe-harbor for the numerous imperiled species displaced by human settlement further south. Expansion of Gaviota State Park offers an excellent opportunity for the conservation of several habitat types.

The Santa Ynez Mountains crowd in close to the coastline at Gaviota, producing a complex topography. Rocky, narrow beaches with sandy coves are backed by high sea cliffs. Coastal marine terraces, incised by stream carved canyons, lie below chaparral covered mountain slopes. This produces a diverse assemblage of habitat types in close proximity to one another. Perhaps most important are the many riparian corridors joining the mountains to the sea, which harbor the highest degree of biodiversity. Gaviota Creek watershed, one of the two largest watersheds on the south-facing Gaviota Coast, flows through Gaviota State Park. In addition there is a variety of shrub-land, and woodland habitat, with scattered vernal pool communities, estuaries, and native grasslands.

With this array of habitat, and a linkage to vast interior wildlands, the Gaviota Coast is home to a full assemblage of wildlife, both terrestrial and marine. Marine animals found along the coast include dolphin, a variety of whales, northern elephant seals, and numerous bird species. Terrestrial wildlife includes mountain lions, mule deer, badgers, black bears and golden eagles, to name a few. Resident endangered species include the southern sea otter, southern steelhead trout, the tide-water goby, brown pelican, and an occasional California condor.

Immediately adjacent to Highway 101, this property is zoned for commercial use. Commercial land uses in these coastal foothills are incompatible with county and State efforts to prevent inappropriate development and protect critical natural, scenic, and recreational resources. Acquiring lands adjacent to the park will protect its streams from the degradation that would result from development-related pollution.

Because of its location among other protected properties and agricultural lands, this project is part of a larger effort to piece together up to 10,000 contiguous acres of protected coastal wildlands and open space from the mountains to the sea, including the Los Padres National Forest and lands owned and managed by the local land trust for Santa Barbara County. The subject property is the linchpin for this larger assemblage, as it is the only property with commercial zoning on a 35-mile stretch of the Gaviota Coast. The total cost of the project is \$2.5 million, with State and local sources providing the matching funds.

Available for acquisition in fiscal year 2007, the Gaviota State Park Addition project is a 43-acre site adjoining Gaviota State Park. The park serves 86,000 visitors annually and the addition of the subject property would enable California State Parks to expand the existing trail system, and provide new trailhead facilities. For all the reasons stated above, the expansion of Gaviota State Park is a top priority for State Parks and for Santa Barbara County.

An appropriation of \$1 million from NOAA's Coastal and Estuarine Land Conservation Program for fiscal year 2007 is needed to acquire and protect this 43-acre property. If added to Gaviota State Park, it will expand recreational opportunities, provide much needed visitor facilities, protect scenic viewshed and conserve important wildlife habitat.

Thank you, Mr. Chairman for the opportunity to present this testimony and for your consideration of the request for an appropriation of \$1 million for Gaviota State Park.

LETTER FROM THE SIMI BATRA OF THE TRUST FOR PUBLIC LAND

APRIL 27, 2006.

THE HONORABLE RICHARD SHELBY, Chairman,
Commerce, Justice and Science Subcommittee, Committee on Appropriations, S-146A
Capitol, Washington, DC 20510.

THE HONORABLE BARBARA MIKULSKI, Ranking Member,
Commerce, Justice and Science Subcommittee, Committee on Appropriations, 144
Dirksen Senate Office Building, Washington, DC 20510.

DEAR CHAIRMAN SHELBY/RANKING MEMBER MIKULSKI: On behalf of the organizations listed below, we would like to thank you for your long-standing support of coastal zone management and coastal land conservation. We are writing today in support of the Coastal and Estuarine Land Conservation Program. This subcommittee created CELCP in fiscal year 2002 in order to "protect those coastal and estuarine areas with significant conservation, recreation, ecological, historical or aesthetic values, or that are threatened by conversion from their natural or recreational states to other uses." Thus far, this program has invested over \$177 million towards 119 conservation projects in 25 of the Nation's 35 coastal States. All federal funding has been leveraged by at least an equal amount by State, local and private funds. We hope to continue this Federal-State partnership and encourage you to fund CELCP at \$60 million for fiscal year 2007.

Our Nation's coastal zone is under significant pressures from unplanned development. In fact, it is estimated that by 2025, nearly 75 percent of the Nation's population will live within 50 miles of the coast, in addition to millions more who enjoy America's storied coastlines. From Maine to Washington State, beaches and waterfronts have always been the destination of choice for Americans. Billions of dollars of the Nation's GDP are generated by coast-based economic activities, inexorably linking our coastal zone with the economic health of the Nation.

As a result of this economic boom, rapid, unplanned development has marred the once-pristine viewsheds and substantially reduced public access to the coast. The resulting increase in impervious surfaces has correspondingly increased non-point source pollution and seriously degraded coastal and estuarine waters. The loss of coastal wetlands has drastically impaired estuaries, some of the most productive habitat on earth. The U.S. Commission on Ocean Policy has also stressed the importance of land conservation as part of its broader recommendations to Congress and the Nation.

From our work at the local level, we know from first-hand experience that this program will significantly leverage ongoing community-based conservation, and will provide a much needed boost to local efforts. Given the importance of healthy, productive and accessible coastal areas, a federal commitment to State and local coastal protection is a sound investment.

We urge you to fund the Coastal and Estuarine Land Conservation Program at \$60 million in fiscal year 2007. We look forward to working with you as this program continues to grow, and stand ready to assist you.

Sincerely,

ALAN FRONT,
Senior Vice President, The Trust for Public Land.

KATHERINE "KACKY" ANDREWS,
Executive Director, Coastal States Organization.

DAVID HOSKINS,
Vice President of Government Affairs and General Counsel, The Ocean Conservancy.

GARY J. TAYLOR,
Legislative Director, International Association of Fish and Wildlife Agencies.

ANGELA CORRIDORE,
Executive Director, National Estuarine Research Reserve Association.

RUSS SHAY,
Director of Public Policy, Land Trust Alliance.

JIMMIE POWELL,
Director of Government Relations, The Nature Conservancy.

RICH INNES,
Executive Director, Association of National Estuary Programs.

LAWRENCE A. SELZER,
President, The Conservation Fund.

GORDON C. ROBERTSON,
Vice President, American Sportfishing Association.

MARK WOLF-ARMSTRONG,
President and CEO, Restore America's Estuaries.

PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and honorable members of the subcommittee, on behalf of the Columbia River Inter-Tribal Fish Commission (CRITFC), I want to thank you for the opportunity to present our views on the fiscal year 2007 budget for NOAA Fisheries. We encourage this subcommittee to note the on-going collaborative effort ordered by the federal judge within the region concerning the biological opinion on the Federal Columbia River Power System and to also please note the administration's call for hatchery reform efforts. CRITFC supports funding the following programs as part of a coordinated, comprehensive effort to restore the shared salmon resource of the Columbia and Snake River Basins to healthy sustainable populations:

- \$200,000 to support the States and tribes in dispersing sea lions from areas where severe salmon depredation is occurring on the Columbia River;
- \$36 million for the Columbia River (Mitchell Act) hatchery program in order to implement reforms called for in the "Conservation of Columbia Basin Fish" (Federal Caucus "All H" Paper) and the Federal Columbia River Power System

- Biological Opinion, of which \$9 million (or 25 percent of the actual enacted amount) directed to the tribes for new or expanded supplementation programs;
- No additional funding for the implementation of mass-marking programs of hatchery fish at federally funded hatcheries for the purpose of implementing a selective fisheries program;
- \$20.6 million for Columbia River facilities screening and passage program;
- \$110 million for the Pacific Coastal Salmon Recovery Fund to support on-the-ground salmon restoration activities, of which \$5 million should be provided to the intertribal commission of the Columbia River treaty tribes in the form of a direct grant;
- \$9,844,000 for the Pacific Salmon Treaty program, of which \$8,000,000 is for the implementation of the 1999 Agreement and previous base programs, and \$1,844,000 is for the Chinook Salmon Agreement.

Background.—In 1977, the Columbia River Treaty Tribes (Nez Perce, Umatilla, Warm Springs and Yakama Tribes) formed the Commission to provide coordination and technical assistance to the member tribes.

In 1855, the United States entered into treaties with the four tribes to ensure the mutual peace and security of our peoples. In the treaties the U.S. promised to protect and honor the rights and resources the tribes reserved to themselves. Our rights and our religious beliefs are tied to the salmon whose populations have dramatically declined to levels that are even causing alarm to non-Indian commercial fishing-dependent communities. We must vigorously pursue the necessary recovery and restoration actions consistent with the Endangered Species Act and federal trust obligations.

CRITFC's principles for fisheries protection and restoration are outlined in a restoration plan titled *Wy-Kan-Ush-Mi Wa-Kish-Wit* (Spirit of the Salmon) that can be viewed at www.critfc.org. The plan's objectives are to halt the decline of salmon, lamprey and sturgeon populations and rebuild salmon runs to levels that support tribal ceremonial, subsistence and commercial harvests. The plan emphasizes strategies and principles that relies on natural production and healthy river systems and utilizes a collaborative conservation approach that the White House has encouraged parties to use to address natural resource issues. The tribes can point to several successes in watershed-based restoration of salmon working with State, Federal and private entities.

Endangered Species Act (ESA)—Pacific Salmon Recovery.—NOAA Fisheries is making an ambitious effort to complete salmon recovery plans in the Pacific Northwest. Not all of the measures outlined in the recovery plans will be funded by the Bonneville Power Administration (BPA) which means that additional funding is needed to meet statutory and trust obligations to the salmon resource and tribes. For example, in coordination with Federal, State and tribal managers, NOAA Fisheries has developed necessary monitoring and evaluation programs to measure salmon recovery efforts, but funding for these critical efforts are in doubt due to the expected fish and wildlife funding levels set by BPA for fiscal year 2007–09.

Sea Lions.—For the second consecutive year sea lion depredation is occurring below Bonneville Dam on the Columbia River during a drastically low adult spring Chinook salmon return. The States and tribes have collaborated to disperse sea lions below Bonneville Dam. Sea lion control efforts are subject to a lengthy process in the Marine Mammals Protection Act (MMPA). Therefore, \$200,000 is requested to support State and tribal efforts to disperse problem animals until a long term solution is developed under the MMPA.

Columbia River (Mitchell Act) Hatchery Program.—Restoring Pacific salmon and providing for sustainable fisheries requires using the Columbia River (Mitchell Act) hatchery program to supplement naturally spawning stocks and populations. To accomplish this goal, \$36 million is requested for the tribal and State co-managers to jointly reform the Mitchell Act hatchery program. Of this amount, \$9 million, or 25 percent of enacted funding, will be made available to the tribes for supplementation projects.

Since 1982, CRITFC has called for hatchery reform to meet recovery needs and meet mitigation obligations. We welcome the administration's objective calling for transforming hatchery systems to aid in salmon recovery (Chairman James Connaughton, Council on Environmental Quality, Salmon 2100 Conference, January 25, 2006, Portland, Oregon). The tribes are leaders in designing and managing supplementation hatchery facilities at Yakama, Umatilla and Nez Perce. We believe similar practices need to be implemented throughout the basin to reform current hatchery production efforts. The tribe's facilities are biologically credible and can be used to supplement rather than supplant natural spawning salmon populations.

Mitchell Act hatchery production should be used to assist the rebuilding of naturally spawning salmon, the stocks which have constrained both Indian and non-In-

dian fisheries on the West Coast. With the adoption of abundance based management for all ocean fisheries under the U.S.-Canada Pacific Salmon Treaty in 1999, an aggressive effort needs to be undertaken to reform hatchery production to be consistent with that new management approach and to aid in the de-listing of several salmon populations listed under the ESA. The tribes can provide leadership for this necessary reform, while still mitigating for the damage caused to the salmon resource by the Federal Columbia River Power System.

Mass marking and Selective Fisheries.—No additional Federal funding should be provided for the mass marking of hatchery-reared fish and the implementation of selective fisheries unless and until the tribes and States have agreed upon such programs. The true total financial, management, and technical costs of pursuing an aggressive mass marking and selective fisheries program have never been identified. In addition, there is no technical basis yet in place to ensure that this program does not undermine the ability of the U.S. and Canada to monitor and evaluate harvest management actions recently adopted under the Pacific Salmon Treaty.

Columbia River Facilities.—To carry out activities identified as necessary in the Federal Caucus All-H Paper and the BiOp, \$20.6 million is requested for the Columbia River facilities screens and fish passage programs.

Pacific Coastal Salmon Recovery Program (PCSRF)/Watershed Restoration.—Beginning in 1996, additional funding has been sought by the State of Alaska, the Pacific Northwest States, and the treaty tribes to serve critical unmet needs for the conservation and restoration of salmon stocks shared in these tribal, State, and international fisheries (See Record of Discussion, May 20, 1996). The PCSRF program provides a significant role in accomplishing the goals of this shared effort. For fiscal year 2007, we recommend restoring the funding to the fiscal year 2002 appropriated level of \$110 million. Of this amount, \$5 million should be directed to the intertribal commission of the Columbia River treaty tribes to support ongoing efforts.

CRITFC acknowledges the economic hardships of western salmon-dependent communities caused by the current low salmon returns. While financial disaster relief meets a short-term economic need for these communities, we encourage this committee to not redirect any PCSRF funds to offset immediate economic hardship. Long-term economic benefits can be achieved by making PCSRF investments on the ground to rebuild sustainable, harvestable salmon populations into the future.

The State and tribal co-managers have responded to concerns raised by Congress regarding accountability and performance standards to evaluate and monitor the success of this coastwide program. In an effort coordinated and facilitated by NOAA Fisheries, the co-managers have developed an extensive matrix of performance standards to address these concerns. We will continue to ensure that tribally sponsored watershed projects are based on the best science, are competently implemented and adequately monitored, and address the limiting factors affecting salmon restoration. This will include the use of monitoring protocols to systematically track current and future projects basin-wide. Projects undertaken by the tribes last year are consistent with *Wy-Kan-Ush-Mi Wa-Kish-Wit* and the programmatic areas identified by Congress.

Pacific Salmon Treaty Program.—CRITFC supports the U.S. section recommendation of \$9,844,000 for the Pacific Salmon Treaty. Of this amount, \$8,000,000 is for the Pacific Salmon Treaty base program with Alaska, Oregon, Idaho, Washington, and NOAA to share as described in the U.S. section of the Pacific Salmon Commission's Budget Justification for fiscal year 2007. In addition, we support \$1,884,000 as first provided in 1997 to implement the abundance based management approach (adopted by the U.S. section in 1996) of the Chinook Salmon Agreement to carry out necessary research and management activities. The overall total amount includes restoration of \$2 million for the Pacific Salmon Treaty program for the States to implement the provisions and management and technical changes adopted by the United States and Canada in 1999, particularly to implement the abundance based approach for coho management. These funds are subjected annually to a strict technical review process.

In summary, Mr. Chairman, the CRITFC and its four member tribes have developed the capacity and infrastructure to be models of leadership and stewardship in rebuilding the fisheries in the Columbia Basin. Our collective efforts protect our treaty reserved fishing rights and we also partner with the non-Indian community to provide healthy, harvestable salmon populations for all citizens to enjoy. This is a time when increased effort and participation are demanded of all of us and we ask for your continued support of our efforts. We will be pleased to provide any additional information that this subcommittee may require.

PREPARED STATEMENT OF THE AMERICAN MUSEUM OF NATURAL HISTORY

About the American Museum of Natural History

The American Museum of Natural History (AMNH) is one of the Nation's pre-eminent institutions for scientific research and public education. Since its founding in 1869, the Museum has pursued its joint mission of science and public education. It is renowned for its exhibitions and collections of more than 32 million natural specimens and cultural artifacts. With approximately 4 million annual visitors—approximately half of them children—it is one of the largest, fastest growing, and most diverse museums in the country. Museum scientists conduct groundbreaking research in fields ranging from all branches of zoology, comparative genomics, and informatics to earth sciences, biodiversity conservation, and astrophysics. Their work forms the basis for all the Museum's activities that seek to explain complex issues and help people to understand the events and processes that created and continue to shape the Earth, life and civilization on this planet, and the universe beyond.

The American Museum—NASA Partnership

In December 1997, NASA and AMNH embarked on a unique partnership, founded on a joint commitment to cutting-edge research and to integrating that research into educational vehicles that will improve science literacy and inspire the next generation. Over this time, we have worked with the agency to develop innovative technologies and resources that provide an unparalleled platform for interpreting, displaying, and distributing NASA content to audiences nationwide. Since 2004 the Museum has been incorporated by NASA into its longer-term science education and public outreach base, with the Museum and NASA now in an unprecedented position to leverage our shared investments, maximize our accomplishments, and harness our unique resources, capacity, and platform to help NASA achieve its goals.

- The Museum has built a set of singular national resources that bring cutting-edge science and integrated NASA content to total audiences of more than 10 million in New York City, across the country, and around the world. In the New York area alone, the Museum reaches nearly four million annual visitors, including more than 450,000 children in school groups and more than 5,000 teachers, with millions visiting online.
- We have launched a successful program to disseminate project resources to informal learning venues nationally and internationally, with science bulletins already on view in 26 locations and space shows at 14, with more being added.
- We have created science bulletins—technologically innovative, immersive multimedia science encounters, presenting space, Earth, and life science news and discoveries in visually stunning feature documentaries, data visualizations, and weekly updates.
- The Museum has made numerous technological breakthroughs—it has established leadership in science visualization and high resolution renderings of massive data sets; it has converted its space shows to digital format, making the AMNH the only full planetarium dome content provider that crosses all major platforms; it has pioneered a unique online distribution network that each week streams new science content in HD MPEG2 encodes to partners across North America.
- AMNH routinely hosts major events celebrating NASA's mission highlights and milestones. Recent events have included public interaction with AMNH scientists and NASA astronauts during the Mars MER, Cassini-Huygens, and Return to Flight launches and landings.
- The Museum's educational mission is fueled by and reflects cutting-edge science, including the work of our scientists in collaboration with NASA centers and researchers.

Building on this remarkable foundation, the Museum seeks to continue its institutional collaboration with NASA in fiscal year 2007 so as to contribute its unique science, education, and exhibition capacity, its expertise in innovative and emerging technologies, and its national reach to helping the agency meet its goals. The Museum proposes activities over a 1-year period to include: R&D on new techniques for visualizing massive space and earth science data sets, creating visualization tools for presenting NASA missions and other dynamic science stories, and for advancing innovative solutions to technical challenges in presenting digital planetarium shows; and developing current NASA science education resources and continuing to scale up their national distribution for presentation in public spaces and for classroom use.

Throughout the course of its NASA partnership, the Museum has very successfully leveraged the NASA investment with funds from other government and private

sources, and it will continue, with renewed partnership funding, to support the project with funds from nonfederal as well as federal sources.

Recognizing its potential to support NASA in its goals to pioneer the future in space exploration, scientific discovery, and aeronautics research; to develop a balanced overall program of science, exploration, and aeronautics; and to establish new and innovative programs to enhance understanding of our Earth, other planets, asteroids, and comets in our solar system, as well as the search for life around other stars, the Museum looks forward to continuing its institutionalized collaboration with NASA and to contributing its unique science, education, and technological capacity to helping the agency to meet these goals.

PREPARED STATEMENT OF THE AMERICAN MUSEUM OF NATURAL HISTORY

About the American Museum of Natural History

The American Museum of Natural History (AMNH) is one of the Nation's pre-eminent institutions for scientific research and public education. Since its founding in 1869, the Museum has pursued its mission to "discover, interpret, and disseminate—through scientific research and education—knowledge about human cultures, the natural world, and the universe." It is renowned for its exhibitions and collections of more than 32 million natural specimens and cultural artifacts. With nearly 4 million annual visitors, its audience is one of the largest, fastest growing, and most diverse of any museum in the country. Museum scientists conduct groundbreaking research in fields ranging from zoology, comparative genomics, and informatics to Earth, space, and environmental sciences and biodiversity conservation. Their work forms the basis for all the Museum's activities that seek to explain complex issues and help people to understand the events and processes that created and continue to shape the Earth, life and civilization on this planet, and the universe beyond.

The Museum's Center for Biodiversity and Conservation, founded in 1993, is dedicated to enhancing the use of scientific data to mitigate threats to global biodiversity, and integrating this information into the conservation process and to disseminate it widely. It conducts conservation-related field projects around the world, trains scientists, organizes scientific symposia, presents public programs, and produces publications geared toward scientists, policy makers, and the lay public. Each spring, the CBC hosts symposia that focus on conservation issues. The 2005 symposium, *New Currents in Conserving Freshwater Ecosystems* will highlight initiatives from around the world that inform our ability to understand and protect the biota, processes, and habitats of aquatic ecosystems. The 2006 symposium, *Conserving Birds in Human-Dominated Landscapes*, will focus on unique challenges to and key opportunities for invigorating bird diversity in the areas most heavily impacted by human activities.

The Museum's renovated Hall of Ocean Life, reopened in Spring 2003, is a major focal point for public education on marine science issues. Drawing on the Museum's world-renowned expertise in Ichthyology as well as other areas of vertebrate as well as invertebrate zoology, the Hall is pivotal in educating visitors about the oceans' key role in sustaining life on our planet. The renovated Hall of Ocean Life, together with the new Halls of Biodiversity, Planet Earth, and the Universe and the rebuilt Hayden Planetarium (part of the new Rose Center for Earth and Space) provide visitors a seamless educational journey from the universe's beginnings to the formation and processes of Earth to the extraordinary diversity of life on our planet.

Common Goals of NOAA and AMNH

The National Oceanic and Atmospheric Administration (NOAA) is committed to understanding and predicting changes in the Earth's environment and to conserving and managing coastal and marine resources to meet the Nation's economic, social, and environmental needs. NOAA's education plan outlines a broad vision for reaching various audiences to build awareness and knowledge of issues related to the world's atmosphere, climate, oceans, and coastal ecosystems. Addressing the needs of teachers, students, and policy makers as well as the general public, the agency's goals include enhancing environmental literacy and knowledge, application of NOAA science, and development of a capable and diverse workforce for environmental science. The American Museum of Natural History, one of the Nation's premier research and public education institutions, shares NOAA's commitment to these environmental goals and to the scientific research and public education that support them.

Since its founding in 1869, the American Museum has pursued its mission of scientific investigation and public education. Its exhibitions and collections serve as a

field guide to the entire planet and present a panorama of the world's cultures. Museum collections of some 32 million specimens and cultural artifacts provide an irreplaceable record of life. More than 200 museum scientists conduct groundbreaking research in fields as diverse as systematic and conservation biology and astrophysics, Earth and biodiversity sciences. The work of scientific staff fuels exhibitions and educational programming that reach annually an onsite audience of nearly 4 million visitors—nearly half of them children.

Marine Sciences Initiative

In fiscal year 2004, as a result of congressional leadership, the Museum entered into a partnership with NOAA that launched a multi-year marine education and research initiative. Support for this initiative, which encompasses a broad range of education, outreach, training, and research activities closely aligned with NOAA goals and purposes, was continued in fiscal year 2005 and further leveraged by museum scientists who successfully secured competitive NOAA funding. Building upon this successful foundation, and in concert with the strategic priorities of NOAA and the Museum, we seek in fiscal year 2007 to join with NOAA in aquatic research and education activities that promote ocean literacy. Activities will include: ecosystem based research, training, and research tools development concerning oceans and aquatic environments; special programs on New York waterways for New York City schoolchildren; professional development for teachers; and public education that will build understanding of the importance of healthy oceans and atmosphere.

The Museum seeks in fiscal year 2007 to partner with NOAA to build this marine sciences education and outreach initiative. Support will be used, over a 1-year period, for marine research projects, the remote sensing/GIS laboratory, and public education and outreach. Together with NOAA, and leveraging its participatory share with funds from nonfederal as well as other federal sources, the Museum will be positioned to advance the environmental education, outreach, and research so pivotal to the health of our Nation and our planet.

Recognizing its potential to support NOAA in its goals to understand and predict changes in the Earth's environment; conserve and manage coastal and marine resources; and to protect, restore, and manage the use of coastal and ocean resources to meet our Nation's economic, social, and environmental needs, the Museum looks forward to advancing a partnership with the agency in an education, outreach, and research initiative to promote public understanding and stewardship of marine environments.

PREPARED STATEMENT OF AMERICAN RIVERS

American Rivers, on behalf of more than 500 national, regional and local organizations representing more than 5 million constituents concerned with river conservation,¹ urges the Committee to provide the National Oceanic and Atmospheric Administration with an overall appropriation of \$4.5 billion in the Commerce, Justice, Science Appropriations bill for fiscal year 2007. Within that amount \$252,000,000 should be allocated for the following priority programs in fiscal year 2007. I request that this testimony be included in the official record.

PACIFIC COASTAL SALMON RECOVERY FUND

Pacific salmon are a national treasure with enormous economic, cultural, and environmental significance in the States of Washington, Oregon, California, Idaho, and Alaska. A century ago, salmon were an anchor of the region's economy. Unfortunately, past and present mismanagement of our rivers, lands, and salmon fisheries have caused populations of salmon to decline dramatically over the past century, and 26 runs of Pacific salmon and steelhead are now listed under the Endangered Species Act.

One important program aimed at restoring imperiled runs of chinook, coho, sockeye, and chum salmon, as well as steelhead trout, is the Pacific Coastal Salmon Recovery Fund, funded through the National Oceanic and Atmospheric Administration. For the past several years, this program has provided much-needed assistance to State, local, and tribal governments in Washington, Oregon, California, Alaska and Idaho for salmon recovery projects.

By increasing funding for the Pacific Coastal Salmon Recovery Fund in fiscal year 2007, Congress can help restore this economically, culturally, and ecologically valu-

¹ These groups and individuals have endorsed the Citizen's Agenda for Rivers which includes the "River Budget" for fiscal year 2007, a report of national funding priorities for local river conservation. For more information on the Citizen's Agenda for Rivers go to www.healthyivers.org.

able resource and help the Northwest States and local communities to adopt and embrace the measures needed to restore Pacific salmon and steelhead. Restoring salmon will also allow the United States to satisfy treaty obligations with Northwest Indian tribes and Canada.

American Rivers appreciates the Committee's past support for this program and urges the funding be increased to \$200 million in fiscal year 2007.

FISHERIES HABITAT RESTORATION CENTER (COMMUNITY-BASE RESTORATION PROGRAM)

Estuaries and coastal wetlands serve many essential functions for communities across the Nation. Coastal industries supply 28 million jobs and generate billions of dollars annually. Eighty to 90 percent of all recreational fish catch and 75 percent of all commercial harvest depends upon healthy coastal and estuarine habitats. More than half of the coastal wetlands in the lower 48 States have been lost, and almost 40 percent of estuarine habitat is impaired.

The Fisheries Habitat Restoration Center and the Community-based Restoration Program, reaches out to local constituencies to accomplish on-the-ground, community-based projects to restore estuaries and coastal habitats. Partnerships and local involvement are fundamental to the success of this program. Partners typically match federal dollars 1:1 and leverage those dollars up to 10 times more through State and local participation. To date, the program has funded more than 900 projects in 25 States, promoting fishery habitat restoration in coastal areas with a grassroots, bottom-up approach.

American Rivers urges the Committee to provide the Fisheries Habitat Restoration Program with \$24 million in fiscal year 2007 to help more communities restore and protect and restore the health of their estuaries and coastal habitats.

THE PENOBSCOT RIVER RESTORATION PROJECT

The Penobscot River Restoration Project is an unprecedented approach to river restoration that will reconfigure hydropower facilities and maintain energy production while opening up more than 500 miles of habitat to 10 native species of anadromous fish, improve water quality, boost wildlife and create new opportunities in communities along New England's second largest river. The two lowermost Penobscot dams, Veazie and Great Works, will be removed and a state-of-the-art fish bypass will be installed at Howland Dam. This restoration project will reestablish the river's historic connection to the ocean, and help feed fisheries and wildlife in the river and the Gulf of Maine. The project's reconfiguration of dams will have a wide range of benefits to fish and wildlife populations, water quality and communities along the river. The restoration of the Penobscot River is the best last chance for the dwindling Atlantic Salmon populations in the country.

American Rivers urges the Committee to provide \$15 million to the Penobscot River Restoration Project in fiscal year 2007 to assist in the purchase of the three dams on the Penobscot River.

OPEN RIVERS INITIATIVE

Our Nation's rivers are plugged with millions of dams, most still functional and benefiting society. Many others are either dilapidated having outlived their 50 year life expectancy or are no longer providing the benefits for which they were built. These dams are unnecessarily degrading the riverine ecosystem and holding up economic development. The Open Rivers Initiative (ORI), a new Presidential initiative announced by the Secretary of Commerce in 2005, will provide grants to communities and local dam owners to remove their dams that no longer make sense. These restoration projects provide significant environmental improvements and offer noteworthy economic and societal benefits. They create new opportunities for recreational fishing, river rafting, and kayaking; provide cost savings by eliminating the need for dam repairs; and remove safety and liability risks associated with outdated structures.

American Rivers urges the Committee to provide \$10 million to the Open Rivers Initiative in fiscal year 2007.

HYDROPOWER RELICENSING

The National Marine Fisheries Service (NMFS) would greatly benefit from additional funding to address the growing number of hydropower dams that need renewal of their operating licenses from the Federal Energy Regulatory Commission (FERC). Under the Federal Power Act, the NMFS has a responsibility to set license conditions for hydropower dams that protect and conserve anadromous (sea-run) fisheries such as Pacific and Atlantic salmon, steelhead and sea-run cutthroat trout,

and shad. FERC approved licenses are nearing expiration at hundreds of dams around the country, and workloads are increasing for NMFS and other resource agencies. Increasing NMFS's limited hydropower relicensing budget is essential to ensure a more efficient licensing process and that NMFS can carry out its responsibilities to protect and restore our Nation's anadromous fisheries.

American Rivers urges the Committee to provide the National Marine Fisheries Service with \$3 million to specifically fund the agencies work on hydropower relicensing in fiscal year 2007.

PREPARED STATEMENT OF CLAFLIN UNIVERSITY, ORANGEBURG, SOUTH CAROLINA

Mr. Chairman, and members of the subcommittee, I thank you for the opportunity to submit testimony to the hearing record regarding the forensic science laboratory at Claflin University in Orangeburg, South Carolina. Claflin University is the oldest historically black college or university in the State of South Carolina and has a solid reputation for producing science students who are an asset to the Nation's scientific workforce.

In the past fiscal year, as I am sure you are aware, funds with which to initiate the establishment of a certified forensics laboratory at Claflin University were included in the conference report on the Science, State Justice and Commerce Appropriations bill. We wish to thank the subcommittee for its support and report on the use to which we have put the provided funds. In collaboration with local law enforcement agencies, we have used those funds to identify and secure a site for the DNA forensic portion of the laboratory, initiated renovations to the site as needed, and completed the purchase of some of the needed equipment. We are also finalizing the recruitment of the initial supervising scientist for the facility. In addition, we have developed an initial course in forensics that we will beta test this summer with students in our biotechnology degree program.

The purpose of the forensics laboratory is to allow Claflin University to create research and service capacity in DNA, drug and ballistics forensic technologies for the Orangeburg community, the First Judicial District and other agencies in South Carolina and the Nation. A Memorandum of Understanding has been developed with the Orangeburg Department of Public Safety, and others are being finalized with the Orangeburg County Sheriff's Department and other law enforcement agencies within the First Judicial District. The faculty within the forensics laboratory will offer courses to students from Orangeburg Calhoun Technical College, undergraduates and graduate biotechnology students from Claflin and will offer short-course continuing education courses approved by the State's Law Enforcement Training Academy to local and State law enforcement officials. The resulting benefits will include but are not limited to:

- Reduction in the case evidence backlog;
- workforce training (for both forensic scientists and law enforcement personnel);
- crime rate reduction through timely processing of evidence;
- increased research capacity in DNA forensics technique development; and
- increased capacity to process back-logged samples for the Department of Justice and the Department of Defense.

Claflin University will staff a forensics laboratory that will be certified for DNA fingerprinting. The laboratory will also provide staff and equipment for drug analysis. In addition, the institution will collaborate with the Orangeburg Department of Public Safety to apply to the National Integrated Ballistic Information Network (NIBIN) program at the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives to become a participant in that network in order to provide ballistics analysis capacity for the forensics laboratory.

All law enforcement agencies within the First Judicial Circuit could greatly benefit in having a regional forensic laboratory with these capabilities. This would also reduce the number of cases submitted to SLED and other specialized laboratories alleviating some of the current backlog seen in these labs and speed time to trial for alleged offenders.

I would also like to point out that this year Claflin University, in partnership with Orangeburg Calhoun Technical College received a grant from the Department of Labor to establish a joint program in biotechnology with a forensics emphasis. This would allow a student to earn an associates degree, a bachelor's degree or a master's degree in biotechnology, with a forensics specialization, or to stop at any point of their choosing in that training continuum. We are certain that the collaboration with the local law enforcement agencies to operate a forensics laboratory will be a valuable additional asset for our overall programmatic goals and will increase

the number of qualified individuals entering the workforce with expertise in forensic analyses.

In fiscal year 2007 we are again requesting support of \$2.2 million to complete the work that we have begun in establishing the forensics laboratory. These funds will be used to hire additional personnel for the laboratory; purchase the remaining major laboratory instrumentation; acquire and restructure space for the ballistics facility; purchase consumables and reagents for analytical processes; and offer the forensics short course to local law enforcement personnel.

Mr. Chairman, we are sure that the forensics laboratory that we are establishing will provide for infrastructure for crime reduction in our State as well as allowing us to produce forensic scientists for the State and Nation. We hope that the subcommittee will provide the \$2.2 million necessary to continue the progress toward full establishment of this vital service asset. Your support will reduce crime, save lives, and strengthen the Nation's scientific workforce.

PREPARED STATEMENT OF THE NATIONAL WILDLIFE FEDERATION

On behalf on the National Wildlife Federation (NWF) I appreciate the opportunity to present this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program for the San Miguel Project in the Commonwealth of Puerto Rico.

NWF is the U.S. largest member-supported conservation education and advocacy group. It unites people from all walks of life to protect nature, wildlife, and the world we all share. NWF's mission is to educate, inspire and assist individuals and organizations of diverse cultures to conserve wildlife and other natural resources and to protect the Earth's environment in order to achieve a peaceful, equitable and sustainable future.

The Northeastern Ecological Corridor (NEC) comprising approximately 3,200 acres, is one of the Caribbean's last, great, unprotected areas. Located on the eastern corner of the main island of Puerto Rico within the municipalities of Luquillo and Fajardo, the NEC contains an extraordinary array of tropical habitats seldom found in other parts of the world. In addition to coral communities, mangroves, and pre-Columbian forests, all the different varieties of coastal wetlands found throughout Puerto Rico are represented within the NEC. The wetlands in this area are essential to the existence of a seasonal bioluminescent lagoon known as Laguna Aguas Prietas, an extremely rare biological phenomenon.

The NEC's location within the foothills of the El Yunque Caribbean National Forest adds to its great natural value and uniqueness. Originally set aside in 1876 by the Spanish Crown, this United Nations Biosphere Reserve is one of the oldest forest protected areas in the Western Hemisphere, and is the only tropical rain forest in the United States national forest system. The forest contains rare wildlife and is home to over 50 species of birds, including the Puerto Rican parrot—one of the ten most endangered species of birds in the world. The ecological diversity observed within the NEC and the Caribbean National Rain Forest, varying from a coastal dry forest to a rain forest, lies within a corridor just 13 miles in length. Such an occurrence, in an amazing limited area, is extremely rare in any location around the world and, can only be enhanced or protected by the conservation of the NEC.

In recognition of the NEC's extraordinary natural value, the NWF has supported its protection since 1999. During NWF's annual meeting held on March 2006 at New Orleans, a resolution presented by two of our affiliates, the Puerto Rican Ornithological Society and the Virgin Islands Conservation Society, was approved, supporting the protection of coastal and wetland habitats of concern such as those found on the Corridor. Furthermore, NWF endorsed the Commonwealth of Puerto Rico House of Representatives Bill 2105, designating the NEC as a nature reserve, as well as its sustainable development based on ecotourism and nature tourism activities.

Available for acquisition in fiscal year 2007 is the 1,277-acre San Miguel property, consisting of three parcels within the NEC. These parcels contain extensive wetland areas contiguous to the Pitahaya, Juan Martin and Sabana rivers, and harbor an array of unique upland and wetland ecosystems. The project site includes some of the last remaining unspoiled dune systems and a significant coral community immediately off shore. Its bird fauna is remarkable and according to the Puerto Rico Department of Natural and Environmental Resources (DNER), it has the one of the highest diversity of birds of any natural protected area in the north region of the Island. The property falls within the range of over 40 rare species of flora and fauna, some even unique to Puerto Rico, including 16 federally threatened or endangered listed species, such as the hawksbill sea turtle, Virgin Island boa, Puerto

Rican boa, brown pelican, Puerto Rican plain pigeon, West Indian manatee, and Cobana negra (a flowering tree). The area is best known, however, as one of the most important nesting grounds for leatherback sea turtles in the United States and the Caribbean. Over 420 leatherback sea turtle nests were recorded during the 2005 nesting season. Due to its ecological value, the NEC has been identified by the DNER, the USDA Forest Service's International Institute of Tropical Forestry and the U.S. Fish and Wildlife Service, as a critical wildlife area of primary importance in Puerto Rico. The NEC also contains a variety of archeological resources, such as historical tools and structures.

At the present time, several multinational lodging corporations have proposed various mega luxury residential-tourist resorts within the NEC. One of the largest proposed developments would be built on the San Miguel tracts at the boundary of the municipalities of Luquillo and Fajardo. The San Miguel Resort would include 1,025 residential units, a 250-room hotel/casino, 175 timeshare units, and two golf courses. The development would involve the filling of wetlands, channelization of rivers, and clearance of coastal vegetation, thus destroying the natural integrity of the NEC. If the San Miguel resort were to be constructed as planned, it would further deplete the limited water supplies needed by local communities, resulting in a deficit of over 4,000,000 gallons of water per day, a deficit which accounts for the water requirements of nearly 25,000 people. There is widespread concern as well about other negative impacts the development would have on this sensitive area, including limited public access to beaches and other coastal resources, and unnecessary exposure of life and property on lands affected by floods and other natural hazards present at the NEC.

Given the ongoing controversy over development of the property, including years of lawsuits, strong public opposition, and permitting difficulties, the owners have decided to make the land available for conservation. Federal agencies, the Commonwealth of Puerto Rico, and private parties have come together in an effort to preserve this remarkable coastal property. Public ownership will preserve the coastal resources, protect the rivers and wetlands, buffer El Yunque Caribbean National Forest, and provide public beach access and recreational opportunities.

Approximately \$25 million will eventually be needed to complete the San Miguel acquisition. If this effort should fail, some form of development would likely occur on this highly sensitive property. The construction of the proposed resort would undermine past and current conservation efforts in an area that has been widely recognized by the Federal and Commonwealth agencies, and private conservation organizations for its unique expression of biological diversity.

A fiscal year 2007 appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program is needed to further the protection of the San Miguel tracts. These funds will be matched by \$2.27 million in settlement funds from the Barge Berman Oil Spill (specifically for land acquisition), up to \$5.7 million of other oil spill settlement funds (for restoration categories), \$3 million committed by the Conservation Trust of Puerto Rico, and additional funds being raised by a local land trust and other interested private parties. I urge you to include this project in the fiscal year 2007 Commerce, Justice, and Science Appropriations bill.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF THE NATURE CONSERVANCY

Mr. Chairman, thank you for the opportunity to offer the recommendations of The Nature Conservancy on the fiscal year 2007 budget for the National Oceanic and Atmospheric Administration (NOAA).

The Nature Conservancy is an international, nonprofit organization dedicated to the conservation of biological diversity. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. Our on-the-ground and in-the-water conservation work is carried out in all 50 States and in 27 foreign countries and is supported by approximately 1 million individual members. We have helped conserve nearly 15 million acres of land in the United States and Canada and more than 102 million acres with local partner organizations globally.

The conservancy owns and manages approximately 1,400 preserves throughout the United States—the largest private system of nature sanctuaries in the world. We recognize, however, that our mission cannot be achieved by core protected areas alone. Therefore, our projects increasingly seek to accommodate compatible human uses to address sustained human well-being.

The conservancy works to identify priorities for coastal and marine conservation through marine ecoregional plans. We identify present and likely future threats to marine biological diversity before attempting to identify appropriate strategies for conservation. At more than 100 marine sites around the world, the Nature Conservancy has used a variety of strategies for marine conservation including habitat restoration of important nursery and spawning areas, removal of invasive species, coastal land acquisition, private conservation of submerged lands, elimination of destructive practices, establishment of protected areas, management of extractive marine resources activities, and reduction of nutrient and toxic inputs to coastal systems. No single strategy works everywhere and at every site, multiple conservation approaches are needed. The selection of appropriate approaches depends on the biological, socioeconomic, and political circumstances at each site.

The National Oceanic and Atmospheric Administration (NOAA) is an important partner to the conservancy in many aspects of our conservation work:

- We rely upon NOAA's data, research, and monitoring of coastal and marine systems, and have several shared priorities on which we collaborate. For example, NOAA's Coastal Services Center maintains a strong customer-service, partnership-oriented approach to providing needed information and technical assistance to States, local governments, other federal agencies, and the private sector to inform decision-making.
- We rely on NOAA's programs that support site-based conservation—those that fund conservation and restoration activities, and those that provide for management of coastal and marine systems. NOAA's ability to meet its requirements under various resource management statutes could be significantly improved by enhancing the agency's ability to fund on-the-ground conservation needs. Programs such as Coastal and Estuarine Land Conservation, Community-based Restoration, Open Rivers Initiative are excellent examples of NOAA taking a practical, community-oriented approach to conservation and management of coastal and marine resources. These programs should be expanded.
- NOAA's contributions to State and local implementation and educational programs help to ensure that the human capacity exists to address environmental management issues at the necessary scale. We are concerned that NOAA's support for human capacity to implement programs within the agency and at the State and local levels is often the first to go in tight budget environments. The committee should provide funding for staff capacity to provide technical assistance, efficiently manage grants and programs, and help to measure effectiveness. For example, funding for Cooperation with the States in NMFS Office of Protected Resources is an opportunity to better engage States in addressing the needs of federally-listed species. A similar program in the U.S. Fish and Wildlife Service has been very successful in helping to solve problems and improve the status of declining species.

Additionally, we are concerned that funding for oceans in general and NOAA specifically is declining. The conservancy urges the committee to provide appropriations for NOAA at or approaching \$4.5 billion. This funding level for NOAA would allow enhancements in the development of an integrated ocean and atmospheric observing system; increased research and education activities, expanded ocean conservation and management programs; and provide critical improvements in infrastructure (satellites, ships, high performance computers, facilities), and data management. Such an increase would represent significant progress toward addressing recommendations contained in the reports of the U.S. Commission on Ocean Policy and the Pew Oceans Commission.

Finally, we would like to work with the committee on guidance to NOAA regarding implementation of a number of key programs.

Coastal and Estuarine Land Conservation Program (CELCP).—The Nature Conservancy supports funding CELCP at \$60 million for fiscal year 2007 and looks forward to working with the committee to guide selection of high priority projects. We appreciate the committee's inclusion of report language in the fiscal year 2006 conference report directing NOAA to develop a list of eligible CELCP projects for fiscal year 2007. We look forward to delivery of that list, and hope that it will be useful to the committee as you make decisions regarding this important program.

We hope that the committee will once again include this language in your report for fiscal year 2008 project selection. The project review process for fiscal year 2007 has been illuminating in showing what is working and what is less successful. Our review of this process draws attention to three additional issues.

- First, we have found that, while some States engaged in a truly outstanding collaborative and public process to select projects, others took a more narrow approach to outreach. One of the key elements of success of the Forest Legacy

program is the emphasis the Forest Services places on public and partner involvement. NOAA should be directed to provide similar involvement.

—Second, a \$3 million project cap was included in the guidance for the call for proposals. We are concerned that this cap may be either unnecessarily constraining or may lead to inflated project proposals. States should be encouraged to request what is needed to complete a given project within an appropriate timeframe, and should work with NOAA and the Congress to ensure funding is available within budget constraints.

—Finally, we are increasingly concerned about the lack of dedicated staff capacity for CELCP at NOAA. Current practice is to assess a percentage of the project appropriation to cover NOAA staff costs. However, our practice is to request funding only for direct project costs, and we are very concerned about the impact such a tax is going to have on the ground. NOAA needs a dedicated line of funding to support program administration and management, and should be prohibited from assessing a percentage of project allocations to cover administrative costs.

NOAA Habitat Restoration.—The Nature Conservancy requests increased funding for habitat conservation and restoration to support fisheries management objectives, protected species recovery, and other coastal and marine management requirements. NOAA needs to invest more in constructive, on-the-ground and in-the-water habitat conservation. Habitat losses have a substantial impact on the health and productivity of marine ecosystems, yet NOAA's ability to work closely with communities around the country to stem or reverse these losses is limited. We are encouraged by the creation of the new Open Rivers Initiative and continued investment in the successful Community-based Restoration Program, but these great programs fall far short of what is needed to address the threats. The conservancy and NOAA are now struggling to find financing for a number of projects that we started with grants from the Community-based Program.

The conservancy recommends \$20 million for Community-based Restoration, \$7.2 million more than the President's budget, and more in line with the House and Senate recommendations going into the fiscal year 2006 conference. We request \$10 million for the new Open Rivers Initiative, \$4 million more than the President's budget. We urge you to ensure that this new program is additive to NOAA's habitat restoration capacity, and doesn't reduce funding available for existing programs.

Coral Reef Conservation Program and Coral Reef Watch.—The conservancy has developed a strong partnership with NOAA's Coral Reef program, and we are delighted with their enthusiastic desire to work together on improving resilience of coral reefs, developing approaches for sustainable financing for coral conservation activities at the local level, and other creative approaches to reducing threats to corals.

However, we are concerned with the decision made the fiscal year 2006 conference to cut funding for NESDIS coral monitoring in fiscal year 2006. The President requested \$737,000 for this modest but effective program known as "Coral Reef Watch." In 2005, not only did NESDIS scientists in this program predict a major coral bleaching event in the Caribbean, but these scientists were able to reach out to NMFS, NOS and partners in the region to use the attention generated by the event to help local managers take action to help reefs recover from the devastating effects of bleaching.

Finally, we urge you to include an additional \$1.5 million for "Local Action Strategies," a unique partnership between NOAA and States and territories to address threats to coral reefs at the local level.

Pacific Coast Salmon Recovery Fund.—The Pacific Coast Salmon Recovery Fund (PCSRF) has funded hundreds of successful on the ground salmon conservation efforts, and we are pleased that NOAA and the States receiving these funds have greatly improved tracking the process of restoration and management under this important program.

This program is a critical complement to federal salmon recovery and management efforts. It enables the State to initiate restoration of salmon habitat and manage fisheries in areas beyond the reach of the Federal Government, e.g. on private lands. The PCSRF enables the States to leverage significant amounts of State funding to address the needs of private landowners in complying with the Endangered Species Act, maintaining the economic viability of these lands, while greatly contributing to economic recovery. In Alaska, where the vast majority of salmon populations and habitats are healthy, these funds help maintain the economic viability of the salmon industry, Alaska's largest employer, by providing and maintaining fisheries that don't conflict with protection of ESA listed stocks that spend part of their life history in the Gulf of Alaska.

We are concerned about the decline in funding for the program, from \$89 million in fiscal year 2004 and fiscal year 2005 to \$67 million in fiscal year 2006, and \$66 million in the President's fiscal year 2007 request. The conservancy strongly supports \$90 million for this program. We are also concerned how the funds are allocated across the five States involved in the program. We feel that the conservation activities oriented towards recovery and protection of salmon should be the primary purpose of this program, and therefore urge the committee to consider including report language in this year's appropriation that more explicitly links expenditures of PCSRF funds to recovery actions identified in federal and State salmon recovery and management plans, where applicable.

Thank you for this opportunity to share with the committee the conservancy's priorities in NOAA's fiscal year 2007 budget. We would be pleased to provide the committee with additional information on any of the conservancy's activities described here or elsewhere. You may contact Erika Feller at 703-841-5374, if you have questions on which we might be of assistance.

PREPARED STATEMENT OF LIGA CONCIENCIA AMBIENTAL DEL ESTE, INC.

On behalf of the (LIGA) "Liga Conciencia Ambiental del Este", I appreciate the opportunity to present this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program for the San Miguel project in Puerto Rico.

The LIGA is a non-profit organization of citizens which volunteer at schools, participate in local conservation efforts and aim to preserve and protect the Northeast Ecological Corridor (NEC) from the reckless impactful surge of construction already quite evident. This exotic coastline area between Fajardo and Luquillo in Puerto Rico is unbelievably unique and pristine with an array of habitats seldom found in other parts of the world. It is home to about 40 rare or "critically endangered" species. Please note that the NEC coastal area is considered the third most important endangered Leatherback Turtle nesting area in the U.S. jurisdiction. The Fish and Wildlife Supervisor James Oland has stated that "this beach area is the only pristine habitat extensive enough to allow for its (Leatherback Turtle) future recovery in Puerto Rico". Beautiful corals still exist and various Pre-Columbine Forest types. Various wetlands remain here, essential to the existence of the biodiversity present, like for example a rare biological phenomenon of not one but two "thriving bioluminescent lagoons". There may also exist Taino and historical archeological finds yet to be correctly researched. The "accumulative effects" of the proposed Dos Mares and San Miguel Resorts "mega constructions" would ultimately negatively effect further the water shortage problems of this area, due to the more than 3,000 residential and touristic units, casinos and gold courses etc., resulting in a deficit of over 4 million gallons of water per day.

Of further need is the concern to have public access to our beaches, and a proper buffer zone for our "El Yunque National Forest" which should extend from the top of the mountain down to the coast. This forest contains the only U.S. tropic wilderness area and is also the only tropical forest in the United States. We of the LIGA are totally against high intensive (5 star) development and truly wish that with your help, a natural reserve with the alternative of real ecotouristic recreational opportunities, could be made available in the future.

We have in our hands the chance to save and prepare for future generations, a treasure of rare land, ocean and animal species; not only for our local citizens and children but also to share with the rest of the world. We urge you to please include this project in the fiscal year 2007 Commerce, Justice and Science Appropriations bill. We thank you for your attention and remain hopeful that you will truly consider this proposal-which could only serve to benefit mankind.

PREPARED STATEMENT OF THE NISQUALLY INDIAN TRIBE

Mr. Chairman, my name is Dorian Sanchez and I am the chairman of the Nisqually Indian Tribe. On behalf of the tribe, I would like to submit the following written testimony on the fiscal year 2007 budget for the Office of Justice Programs.

The Nisqually Reservation is located in Washington State. We currently employ nine land patrol law enforcement officers to patrol 5,000 acres of reservation and near reservation lands. In addition, Nisqually Tribe Police has extensive marine water enforcement duties and employs two water patrol officers to patrol over 100 square miles of Puget Sound for both the treaty salmon fishery and treaty shellfish harvesting. Tribal law enforcement also provides hunting enforcement for over

50,000 acres of land in the tribe's usual and accustomed area within the Nisqually River watershed.

We also employ ten detention officers at our 45-bed detention facility, which was built with Department of Justice funding in 2002. Like many other tribes, we are struggling to cope with escalating methamphetamine use and associated increases in gang activity and property crime related to drug dealing and manufacturing. The methamphetamine crisis has received significant attention recently in Congress and in the media, but what is often overlooked is the disproportionately devastating impact that meth has had on Indian communities across the country. Tribes' resources are stretched beyond capacity in order to address this problem.

JUSTICE ASSISTANCE

The administration proposed to consolidate several programs, including law enforcement and juvenile justice programs, under the Justice Assistance account. Overall funding for these programs would be significantly reduced under this proposal, and many programs that specifically serve tribes would be cut entirely. The tribe opposes any effort by the administration to reorganize the funding structure in order to mask program cuts, and we request that the administration restore funding to the following programs:

- Incarceration on tribal lands (\$15 million);
- Tribal courts initiative (\$8 million); and
- Indian country grant program (\$5 million).

JUVENILE DELINQUENCY PREVENTION

The tribe also requests that the subcommittee restore full funding for title V local juvenile delinquency prevention programs and, in particular, that the \$10 million earmark for the Tribal Youth Program (TYP) be restored. For fiscal year 2007, the administration has requested only \$32 million for delinquency prevention programs—this is half of the fiscal year 2006 enacted amount. In past years, \$10 million of this funding has been earmarked for tribal juvenile delinquency prevention programs under the TYP line item, but in the fiscal year 2007 budget proposal, no funding is specifically designated for tribal youth programs.

In most tribal communities, juvenile delinquency early intervention programs are funded by TYP grants. The Nisqually Indian Tribe received TYP funding in 2000 to support the Nisqually Indian Juvenile Justice Improvement Project, and these funds were used to hire and train a youth counselor for the youth court and to develop detention alternatives, such as diversion, community peer review, traditional dispute resolution, drug courts and mentoring programs. The tribe received funding again in 2003 for the tribe's At-Risk Native Youth Intervention project, a program to provide targeted outreach, assessment, support and mental health services to children who are at risk for academic failure or are already involved in the juvenile justice system. If funds are not earmarked for tribal programs, competition will intensify for this already-limited source of funding, and programs like these may not be funded in the future.

In addition, the tribe supports restoration of the Juvenile Accountability Block Grant program. The administration has again proposed to eliminate this important program entirely, calling it "unfocused." On the contrary, as Congress has recognized in restoring this program for the past 3 years, it provides essential funding for substance abuse and mental health services and graduated sanctions programs. Of particular importance in Indian country is the Tribal Juvenile Accountability Discretionary Grant program, a separate JABG allocation for Indian tribes to provide delinquency prevention services. Successful delinquency prevention programs require coordination of multiple systems (substance abuse, mental health, child welfare, courts, detention, community-based alternatives to detention, etc.). For this wraparound approach to work, all these programs must receive funding, and tribes must have the flexibility to allocate resources among them as needed. JABG grants are an important source of this flexible core funding; if these grants are eliminated, tribal juvenile justice systems will be severely crippled.

TRIBAL COPS

The tribe supports the administration's proposed \$16 million increase to the tribal COPS program. We are concerned, however, that this increase is being used to justify cuts to all the other tribal programs discussed above. It is important that the subcommittee understand that funding for justice programs in Indian country still falls far short of meeting the severe need for law enforcement and tribal justice resources—a need that will be even greater this year in light of significant cuts to Indian programs—including the Tribal Courts program—proposed by the Bureau of

Indian Affairs. Tribes depend on law enforcement and tribal justice funding and this year—at the height of the meth crisis—this funding should be increased, not simply redistributed or reduced overall.

If we can provide any additional information, please do not hesitate to contact our counsel, Mary J. Pavel or Addie C. Rolnick at Sonosky, Chambers, Sachse, Endreson & Perry, LLP, 1425 K Street NW, Ste. 600, Washington, DC 20005; 202-682-0240 (tel); 202-682-0249 (fax); mpavel@sonosky.com; arolnick@sonosky.com.

PREPARED STATEMENT OF THE SKOKOMISH TRIBAL NATION

Good morning. My name is Gordon James. I am the chairman of the Skokomish Tribe of Washington State. On behalf of the tribe, I would like to submit the following written testimony on the fiscal year 2007 budget for the Office of Justice programs. The tribe respectfully requests that the subcommittee support the administration's proposed increase to the Tribal COPS program and reject the administration's proposed cuts to other tribal justice programs.

The Skokomish Department of Public Safety has been granted the responsibility and authority to enforce laws and regulations as set forth by the Skokomish Tribal Council. Enforcement of tribal laws and regulations will enhance and strengthen the development of the tribe's human resources, encourage the development of the reservation, and support community values and goals for the achievement of self-determination as a nation. The tribe provides the only marine law enforcement and rescue services in a 35-mile radius of the southern Hood Canal. In addition, the department works closely with non-tribal law enforcement agencies and with neighboring tribes to combat the scourge of drug trafficking in this rural area.

As the committee is undoubtedly aware, drug abuse is rampant on many Indian reservations, and the recent increase in methamphetamine use has had an especially damaging effect on Indian country. The Skokomish Reservation saw significant population growth in the 1980s and early 1990s, and along with this growth came an alarming increase in the extent and severity of drug use and abuse. Our community is coping with the far-reaching effects of methamphetamine abuse, placing a far greater burden on our law enforcement, health and child welfare services, as well on our court system.

According to data from the tribe's Alcohol Service program, more than half of our young adults are affected by drug dependency. We have also seen an increase in drug-related crimes, such as armed assaults, drug manufacturing and drug dealing. Of the 1,800 calls that tribal police have responded to in the last 6 months, more than one-third have been drug-related, and many of these calls involved non-Indians. Because non-Indians often view reservations as places where they can manufacture and sell drugs free from State authority, we have also seen an increase in clandestine methamphetamine labs on the reservation. Tribal officers play a key role in detecting and busting these labs, and it is clear that if the tribe is forced to close its department or scale back its law enforcement and justice resources, our rural community will indeed become a haven for meth and other drugs.

The Skokomish Department of Public Safety places strong emphasis on Community Oriented Policing for Skokomish tribal members, residents and visitors of the Skokomish Indian Reservation. The department consists of both patrol and fish and wildlife enforcement divisions, which help the department obtain its goals of proactively suppressing criminal activity, preventing crime, and protecting the Skokomish Tribe's interests, lands, and properties. The two departments were consolidated in 2003 to allow for more effective patrol services within the reservation. In the last 10 years, the Department of Public Safety (DPS) has grown from 1 untrained officer to a force of 13 Washington State/BIA-certified officers. There are currently 11 full time officers (3 of which are assigned primarily to Fish and Wildlife Enforcement) and 2 provisional officers (1 of which is also assigned to Fish and Wildlife duties). The department also utilizes the services of 6 reserve police officers. We also employ a full time civilian that acts as court clerk and administrative assistant. All Skokomish Public Safety officers are cross-trained to perform patrol duties and fish and wildlife enforcement.

The Patrol Division operates 7 days a week, 24 hours a day. It supports the mission of the department by preserving the peace, conducting investigations of crimes, providing patrols on tribal lands and properties, answering calls for assistance, detecting criminal activities, identifying potential disturbances, enforcing traffic regulations on reservation lands, investigating and responding to accidents, arresting criminal offenders, and providing emergency services.

The Fish and Wildlife Enforcement division works to protect tribal treaty fishing, hunting and shellfish rights. Skokomish fish and wildlife officers are fully commis-

sioned tribal police officers. They enforce fish, wildlife and environmental laws, patrol fishing sites, inspect nets, check tribal identification, regulate hunting and fishing licenses, monitor fishing, hunting and shellfish locations, and investigate violations of Skokomish fish and wildlife, criminal, and traffic codes.

The tribe supports the administration's proposed \$16 million increase to the tribal COPS program. The COPS program provides a flexible source of funding for tribal law enforcement programs like the Skokomish Department of Public Safety and many tribes depend on these grants.

However, this increase should not be balanced with cuts elsewhere in the budget for tribal programs. Increased funding for the COPS program is sorely needed in Indian country, but tribes should not be forced to sacrifice funding for tribal courts, juvenile delinquency prevention and other justice programs in order to secure adequate law enforcement funds. The entire range of law enforcement and justice programs (prevention, early intervention, law enforcement, prosecution, detention) in Indian country has always been drastically underfunded, and the need for this funding has only intensified with the rampant methamphetamine production and use on reservations. We ask the committee to recognize this need and reject the administration's proposed elimination or reduction for the following tribal programs:

- Incarceration on tribal lands (\$15 million);
- Tribal courts initiative (\$8 million);
- Indian country grant program (\$5 million); and
- Tribal Youth Program, title V local juvenile delinquency prevention (\$10 million).

We cannot overstate the importance of this funding to Indian country.

If we can provide any additional information, please do not hesitate to contact our counsel, Mary J. Pavel or Addie C. Rolnick at Sonosky, Chambers, Sachse, Endreson & Perry, LLP, 1425 K Street NW, Ste. 600, Washington, D.C. 20005; 202-682-0240 (tel); 202-682-0249 (fax); mpavel@sonosky.com; arolnick@sonosky.com.

PREPARED STATEMENT OF THE CONSERVATION TRUST OF PUERTO RICO

The Conservation Trust of Puerto Rico (CTPR) presents this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program for the San Miguel Project in the Commonwealth of Puerto Rico.

CTPR was created in January 23, 1970 by the government of the Commonwealth of Puerto Rico and the U.S. Department of Interior as a private, nonprofit organization devoted to the protection and conservation of the natural resources of the Island of Puerto Rico. Its sole beneficiary is the people of Puerto Rico. The trust is administered by three trustees jointly designated by the Governor of Puerto Rico and the U.S. Secretary of Interior.

As the foremost non-governmental conservation entity in the island, CTPR currently protects more than 17,000 acres of land on 20 nature areas across the island, provides interpretive programs to over 106,000 visitors per year in its three sites open to the public, promotes citizen participation in conservation and reforestation activities through its education programs, and produces about 65,000 native trees a year in its four tree nurseries. The trust has a staff of 95 employees who work in property management, visitor interpretive services, land acquisitions, donations, and conservation easements, public education, fundraising, and administration.

One of the trust's principal mandates is to acquire—through purchase, donations, easements, or other mechanisms—land that is vital to Puerto Rico's natural and cultural heritage; and to maintain and care for the land already under its protection. In selecting properties for acquisition, the trust seeks land of extraordinary natural, aesthetic, and historic value.

Since the mid-1980s, the Conservation Trust of Puerto Rico has been active in land acquisition, management, and conservation efforts of the lands adjacent and within the Northeastern Ecological Corridor (NEC).

The NEC, comprising approximately 3,200 acres, is one of the Caribbean's last, great, unprotected areas. Located on the eastern corner of the main island of Puerto Rico within the municipalities of Luquillo and Fajardo, the NEC contains an extraordinary diversity of tropical habitats seldom found in other parts of the world. In addition to coral communities, mangroves, and pre-Columbian forests, all the different varieties of coastal wetlands found throughout Puerto Rico are represented within the NEC. The wetlands in this area are essential to the existence of a seasonal bioluminescent lagoon known as Laguna Aguas Prietas, an extremely rare biological phenomenon.

The NEC also acts as a natural bridge where all of Puerto Rico's six ecological life zones are connected: from a coastal dry forest in Las Cabezas de San Juan Na-

ture Reserve to a lower montane rain forest in *El Yunque* Caribbean National Forest. In one end of the Corridor is Las Cabezas de San Juan Nature Reserve, a 539 acres coastal protected area owned and managed by the trust, considered one of Puerto Rico's most important natural areas. This reserve contains a prize-winning restoration of an 1882 neoclassic lighthouse (*El Faro*) built by the Spaniards that is open to the public since April 1991. Of the island's 14 lighthouses, *El Faro*'s is the second oldest and is recorded on the Federal Register of Historic Places. A nature center located in the lighthouse provides close-up educational views of the reserve's animals and plants, and a rooftop observation deck offers spectacular vistas of *El Yunque*, the NEC, St. Thomas and islands as distant as Tortola. Home to 96 bird species, the reserve is popularly known for its coastal lagoon (*Laguna Grande*), one of three major bioluminescent water bodies in Puerto Rico exhibiting this unique biological phenomenon all throughout the year. This nature reserve receives more than 50,000 visitors annually.

In the other end of the Corridor is *El Yunque* Caribbean National Forest. Designated as a United Nations Biosphere Reserve, *El Yunque* is composed of more than 25,000 acres of land. This forest was originally set aside in 1876 by the Spanish Crown and is one of the oldest protected areas in the Western Hemisphere. It is also the only tropical rain forest within the United States national forest system. The forest contains rare wildlife and is home to over 50 species of birds, including the Puerto Rican parrot—one of the ten most endangered species of birds in the world. Considered Puerto Rico's most popular nature attraction, *El Yunque* receives more than 800,000 visitors per year.

This incredible ecological diversity, found at a distance of less than 13 miles in length, adds to the NEC's great natural value and uniqueness. Such an occurrence, in an amazing limited area, is extremely rare in any location around the world. This is why the Conservation Trust of Puerto Rico has actively engaged in the protection and conservation of the NEC and its surrounding areas. In 1986, CTPR acquired the lands that currently compose Las Cabezas de San Juan Nature Reserve. In 1992, the trust, in collaboration with the Puerto Rico Department of Natural and Environmental Resources (DNER), proposed the designation of the NEC as an extension of Las Cabezas de San Juan Nature Reserve under the name of Segmento El Convento. Since then, the National Oceanic and Atmospheric Administration (NOAA) has requested that the Puerto Rico Coastal Zone Management program, administered by the DNER, develop a strategy and a schedule for the official designation and establishment of the NEC as a nature reserve.

Available for acquisition in fiscal year 2007 is the 1,277-acre San Miguel property, consisting of three parcels within the NEC. These parcels contain extensive wetland areas contiguous to the Pitahaya, Juan Martín and Sabana rivers, and harbor an array of unique upland and wetland ecosystems. The project site includes some of the last remaining unspoiled dune systems and a significant coral community immediately off shore. Its bird fauna is remarkable and according to the DNER, it has one of the highest diversity of birds of any natural protected area in the north region of the island. The property falls within the range of over 40 rare species of flora and fauna, some even unique to Puerto Rico, including 16 federally threatened or endangered listed species, such as the Hawksbill sea turtle, Virgin Island boa, Puerto Rican boa, brown pelican, Puerto Rican plain pigeon, West Indian manatee, and Cobana negra (a flowering tree). The area is best known, however, as one of the most important nesting grounds for Leatherback sea turtles in the United States and the Caribbean. Over 420 Leatherback sea turtle nests were recorded during the 2005 nesting season. Due to its ecological value, the NEC has been identified by the DNER, the USDA Forest Service's International Institute of Tropical Forestry and the U.S. Fish and Wildlife Service, as a critical wildlife area of primary importance in Puerto Rico. The NEC also contains a variety of archeological resources, such as historical tools and structures.

At the present time, several multinational lodging corporations have proposed various mega luxury residential-tourist resorts within the NEC. Given the ongoing controversy over development of the property, the owners are considering to make the land available for conservation if funding is secured. Federal agencies, the Commonwealth of Puerto Rico, and private parties have come together in an effort to preserve this remarkable coastal property. Public ownership will preserve the coastal resources, protect the rivers and wetlands, buffer *El Yunque* Caribbean National Forest, and provide public beach access and recreational opportunities.

Approximately \$25 million will eventually be needed to complete the San Miguel acquisition. If this effort should fail, some form of development would likely occur on this highly environmentally sensitive property. The construction of the proposed resort would undermine past and current conservation efforts in an area that has been widely recognized by the Federal and Commonwealth agencies, and private

conservation organizations, such as the Conservation Trust of Puerto Rico, for its unique expression of biological diversity.

A fiscal year 2007 appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation program is needed to further the protection of the San Miguel tracts. These funds will be matched by \$2.27 million in settlement funds from the Barge Berman oil spill (specifically for land acquisition), up to \$5.7 million of other oil spill settlement funds (for restoration categories) and additional funds are being raised by other interested private parties. The Conservation Trust will collaborate and provide additional matching funds to secure this transaction. I urge you to include this project in the fiscal year 2007 Commerce, Justice, and Science Appropriations bill.

With a limited land mass and a growing population, Puerto Rico must act quickly to counter the encroachment of urban areas into unique wildlife habitats, such as the ones found in the Northeastern Ecological Corridor. Maintaining the health and viability of native habitats and biodiversity is essential to our ecological, economic, cultural and social sustainability. Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration to this important request in favor of one of Puerto Rico's most threatened coastal ecosystems.

PREPARED STATEMENT OF THE NATIONAL CENTER FOR VICTIMS OF CRIME

The National Center for Victims of Crime submits this testimony to urge members of the Subcommittee on Commerce, Justice, Science, and Related Agencies to once again reject the proposed rescission of the Victims of Crime Act (VOCA) fund as part of the Department of Justice appropriations legislation. In addition, we urge subcommittee members not to allow the creation of additional earmarks from the VOCA fund, and to set the cap on distributions from the fund at \$685 million for fiscal year 2007.

The National Center for Victims of Crime, the leading national resource and advocacy organization for victims of crime, knows the considerable and urgent funding needs of those who serve crime victims. Since our founding in 1985, we have worked with public and nonprofit agencies throughout the country, providing information, support, and technical assistance to thousands of victims, victim service providers, allied professionals, and advocates. Our toll-free information and referral helpline alerts us to the needs of crime victims nationwide. Through our training institute and our daily interactions with our members and the nearly 10,000 crime victim service providers in our referral network, we stay informed of their work and know the impact of federal-level funding decisions on their ability to meet the needs of victims. In short, we hear from victims and service providers every day about the impact and importance of the VOCA fund.

UNDERSTANDING THE VOCA FUND

Congress created the VOCA fund over 20 years ago to ensure on-going, dedicated federal support for State and local crime victim programs. The fund receives no taxpayer dollars; it is comprised solely of criminal fines and penalties imposed on federal offenders. Most of the funds are distributed each year by formula grants to the States to fund: (a) crime victim compensation programs, which pay many of crime victims' out-of-pocket expenses that directly result from the crime; and (b) crime victim assistance programs. VOCA assistance funding supports more than 4,400 State and local victim programs, including rape crisis centers, domestic violence shelters, victim assistants in law enforcement and prosecutor offices, and other direct services for victims of crime.

VOCA funds support services such as:

- The Prescott House Child Advocacy Center in Birmingham, Alabama;
- an advocate for elder victims of domestic violence at the Women's Community in Wausau, Wisconsin;
- the Pro Bono Counseling Project, serving crime victims in Baltimore, Maryland;
- Our House, a program for homicide survivors in Greenville, Mississippi;
- the Upper Ohio Valley Sexual Assault Help Center in Wheeling, West Virginia;
- the State MADD office in Baton Rouge, Louisiana; and
- the victim/witness unit of the Commonwealth's Attorney's Office in Winchester, Virginia.

VOCA assistance dollars fund services that help victims in the immediate aftermath of crime, including accompaniment to hospitals for examination; hotline counseling; emergency food, clothing, and transportation; replacing or repairing broken locks; filing restraining orders; support groups; and more. VOCA money also funds assistance as victims move through the criminal justice system, including notifica-

tion of court proceedings, transportation to court, help completing a victim impact statement, notification about the release or escape of the offender, and help in seeking restitution.

Along with funding programs that serve victims, VOCA dollars support crime victim compensation, which steps in when victims have no insurance, no workman's compensation, and no other assistance to meet out-of-pocket expenses related to the crime. The Crime Victim Compensation program pays medical bills, counseling costs, crime scene cleanup, burial costs, and similar expenses. The VOCA fund reimburses States for 60 percent of their compensation costs.

VOCA assistance grant money is crucial to enable both criminal justice system-based and community programs to serve victims of crime. Programs report that they have already made significant cuts due to recent reductions in State and private funding. They have already taken such steps as closing satellite offices, reducing services for family members of victims, cutting staff positions, and eliminating staff training. The VOCA subgrants have been their remaining stable source of funding.

WHY THE VOCA FUND CURRENTLY HAS A BALANCE

In 1999, Congress acted to ensure the stability of VOCA funding. For many years, all money collected in a given year was disbursed in the following year. However, the nature of the funding stream—all criminal fines on federal offenders—caused the level of available funding to vary significantly. In some years, large fines against corporate offenders caused a surge in deposits. In 1999, Congress chose to reserve a portion of the deposits from such years to offset lower collections in leaner years. That year, Congress placed a cap on the amount of funding disbursed from the fund. The appropriations conference report noted that “the conferees have taken this action (delaying annual fund obligations) to protect against wide fluctuations in receipts into the fund, and to ensure that a stable level of funding will remain available for these programs in future years” (fiscal year 2000; Conf. Rpt. 106-479).

REJECT THE PROPOSED RESCISSION

The administration's proposed budget for fiscal year 2007 would rescind the balance of the VOCA fund at the end of fiscal year 2007. This rescission, which would include any amounts remaining after the fiscal year 2007 appropriation and all moneys collected in fiscal year 2007, would produce a zero balance in the VOCA fund at the start of fiscal year 2008. If enacted, this proposal would cause havoc in the victim assistance and compensation arenas, and risk permanently destabilizing the web of support for victims of crime that has been built during the past 20 years. Congress rejected such a proposal last year, and we urge you to do the same for fiscal year 2007.

IMPACT OF RESCISSION ON VICTIM COMPENSATION

Crime victim compensation programs must know where they stand financially at the outset of the year to make payments predictably and on time. When preparing their budgets, State compensation programs assume they will receive reimbursements for 60 percent of their qualifying payouts to victims, as the Victims of Crime Act provides. However, if the VOCA fund has a zero balance at the beginning of fiscal year 2008, State compensation programs cannot be sure that they will receive that entire reimbursement. It could be an entire year before a compensation program knows, for example, whether it can pay a physician's bill for an assault victim's emergency surgery. During that year, the assault victim may have to endure repeated harassment from bill collectors while waiting for a decision on his compensation claim. A delay in payment and uncertainty in the amount of the VOCA grants to compensation programs is a bureaucratic headache to administrators, but an injustice to victims of crime awaiting payments.

IMPACT OF RESCISSION ON VICTIM SERVICES

The rescission would undermine the ability of many victim assistance agencies to keep their doors open. VOCA assistance dollars provide ongoing support to existing programs that help victims through the criminal justice process and provide them needed counseling and support to recover from the offense. Even as they struggle to diversify and expand their funding sources, victim assistance agencies must still rely on their VOCA grants to remain open.

A rape crisis center that loses its VOCA funding, even for several months, is likely to lose staff and discontinue services—which hurts both victims and the program's longterm viability. When a victim seeks the center's help to cope with a traumatic sexual assault, it's no good telling her to come back in 6 months when a counselor

may be available. When the rape crisis center has to end its outreach and services for Spanish-speaking victims, it's no good trying to pick up the pieces a year later when some funding is restored. The damage has been done, and the center's work to build relationships and a reputation with that community has been set back years.

Similarly, if a criminal justice agency loses the funding for its victim assistance staff, the loss disrupts the office's efforts to maximize the victim's effective participation in the criminal justice process. It also undermines the ability of the criminal justice system to comply with crime victims' rights laws.

Moreover, the State granting agencies that direct VOCA funds to providers must know at the outset of each year the total amount of VOCA victim assistance dollars they will have to disburse before they begin making grants. Such information is integral to their ability to responsibly and effectively manage such a formula grant.

FISCAL YEAR 2007 VOCA FUNDING SHOULD BE SET AT \$685 MILLION, WITH NO
ADDITIONAL EARMARKS

Finally, even though our first priority is the rejection of the proposed VOCA fund rescission, we also urge you to set the cap on the VOCA fund at \$685 million for fiscal year 2007 and block additional earmarks from the VOCA fund, even for projects that serve crime victims. Increasing the cap to \$685 million would allow victim services to meet growing needs. In Virginia, advocates anticipate a 10 percent reduction in victim/witness staff due to the rising costs of benefits. They also anticipate a 10 percent decrease in funding for sexual assault services. In Wisconsin, advocates report a growing number of victims of financial abuse and identity theft, as well as increases in violent offenses. Advocates elsewhere speak of the need to expand services to elderly victims, to immigrant victims, and to teen victims of crime. Additional funding could support services for those victims.

At the same time, Congress must be vigilant against the creation of earmarks out of the VOCA fund. Congress designed the VOCA fund to support formula grants that allow each State to fund victim services on the basis of the needs and strategic plans of that State. Additional earmarks on money from the general VOCA fund would thwart Congress' intentions in designing the fund.

Congress' creation of the VOCA fund in 1984 fundamentally changed the way our Nation responds to victims of crime. In establishing the fund, Congress acted to provide ongoing support for services and compensation programs that help victims rebuild their lives. Congress reaffirmed its commitment to victims last year, when it rejected the administration's proposal to rescind the VOCA fund. We urge you to reject that proposal again this year, preserving the VOCA fund for the purposes for which it was created, to appropriate \$685 million from the fund for fiscal year 2007, and to resist any pressure to further earmark the fund.

PREPARED STATEMENT OF THE SIERRA CLUB, PUERTO RICO

On behalf of Sierra Club of Puerto Rico and the national Sierra Club, I thank the committee for its time and consideration. The following testimony is in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation program for the San Miguel project in Puerto Rico.

The Sierra Club was founded in 1892 to explore, enjoy and protect the environment. Our 800,000 members continue more than 100 years later in this effort. The Puerto Rico chapter is the newest of the Club's 64, and was formalized a little over a year ago after 4 years of work, largely on the goal of protecting the Northeast Ecological Corridor. I refer you to the attached formal resolution passed by the Sierra Club's national board of directors upon the official formation of the chapter here in Puerto Rico in February of 2005.

I will also refer you to the testimony of our fellow environmental organizations for a more detailed review of the environmental values of the Northeast Ecological Corridor which are numerous: it's 40 rare, at risk, endangered and endemic species; the endangered Leatherback turtle which nests in the Corridor, one of the three most important nesting sites for the turtles in all of U.S. jurisdiction; the *Pterocarpus*, mangrove and pre-Columbian forests, and much more.

I instead will focus on environmental trends in Puerto Rico and the vision our coalition is proposing for the Northeast Ecological Corridor and the northeast region of Puerto Rico.

With 3.9 million people in only 3,500 square miles, Puerto Rico has a higher population density than Japan. The island is also among the most road-covered places in the world and boasts 2.4 million cars on streets and highways which often leave residents trapped in endless traffic jams. After decades of rapid development, Puerto

Rico is 14 percent urban, compared with 2.6 percent of the mainland landmass. While developed areas are growing three to four times faster than the population, urban density is decreasing, leaving huge numbers of abandoned buildings. The result is sprawl development which is threatening to destroy the very essence of Puerto Rico, commonly known as "la Isla del Encanto" or the Island of Enchantment". Three-fourths of the islands' construction projects are granted zoning exemptions.

Concerned about both the degradation of the quality of life of local residents and the diminishing of the island's unique tourism potential, an array of organizations formed what is now known as the Coalition for the Northeast Ecological Corridor. It is comprised of 20 local, island-wide, national and international organizations as well as over 1000 individuals dedicated to the permanent protection of the Corridor.

We hope to see the Corridor protected as a Nature Reserve but with a plethora of eco-tourist amenities including: kayaking, mountain biking, camping, access for fishermen, etc. But at the heart of this proposal is in the economic development of the two towns adjacent to the Corridor, Luquillo and Fajardo. Our hope is that tourists visiting the Corridor will have to enter the Reserve through the two towns and that the services tourists use will be based in these towns. We hope to see development of equipment rental stores, small hotels, restaurants, etc.

The Corridor serves as a natural link between other regional eco-tourism destinations. El Yunque National Forest, for example, is only a 15 minute drive from the Northeast Ecological Corridor, is the second most visited place in Puerto Rico. But the thousands of the tourists that visit the forest have little reason to stay in the region. For this reason the coalition is proposing the designation of an Eco-Tourism region which would be called La Porta de la Naturaleza, modeling after the island's western tourism destination, La Porta del Sol.

We are proposing a sort of package. Tourists would leave San Juan traveling east. They would spend a day biking and tasting typical Afro-Puerto Rican food at widely known kiosks in Piñones, Puerto Rico's largest mangrove forest. They would spend several days exploring El Yunque's trails, waterfalls and hidden swimming holes, staying in one of many country inns in the area, before heading to the Northeast Ecological Corridor. After several days there the typical tourist would take off for one of Puerto Rico's smaller islands, Vieques or Culebra.

We imagine this eco-tourism region taking life for non-Puerto Ricans during the winter months and internal tourists during the summer months, preserving some of the encanto for the enjoyment of residents and non-residents alike. The northeastern region already has 6,000 luxury hotel units built, in construction, or in planning in addition to 14 golf courses. The Northeast Ecological Corridor is too special to sacrifice for more of the same.

It is with this hope to protect the Northeast Ecological Corridor, one of Puerto Rico's only remaining undeveloped coastal areas of considerable size that we respectfully request your support of the proposed appropriation.

I thank you, Mr. Chairman, on behalf of the Sierra Club's 800,000 members, for the opportunity to present this testimony and for your consideration of this important request.

RESOLUTION

DESIGNATION OF PUERTO RICO'S NORTHEAST ECOLOGICAL CORRIDOR AS A NATURE RESERVE

Whereas, the Sierra Club is America's oldest, largest and most influential grass-roots environmental organization, with over 700,000 members.

Whereas, the Sierra Club, through all lawful means, seeks to explore, enjoy and protect the wild places of Earth; practice and promote the responsible use of Earth's ecosystems and resources; and educate and enlist humanity to protect and restore the quality of the natural and human environment.

Whereas, the Northeastern Ecological Corridor ("NEC"), comprising approximately 3,200 acres on the eastern corner of the main island of Puerto Rico, is one of the Caribbean's last great-unprotected areas, containing an extraordinary array of tropical habitats seldom found in other parts of the world.

Whereas, all of the coastal wetlands found in Puerto Rico, such as coral communities, mangroves, pre-Columbian forest, and a bioluminescent lagoon, are represented within the NEC.

Whereas, the diversity of habitats within the NEC have made this area home of the federally endangered Puerto Rican ("PR") Plain Pigeon, the Snowy Plover, the Brown Pelican, the Puerto Rican Boa, the Hawksbill Sea Turtle and the West Indian Manatee, among other 40 critical species (rare, endemic, threatened and endangered), some even designated as critically endangered by the World Conservation Union (IUCN).

Whereas, the NEC is considered one of the most important nesting grounds for Leatherback sea turtles (*Dermochelys coriacea*) in areas under U.S. jurisdiction.

Whereas, the NEC's conservation and location within the foothills of the Caribbean National Forest (El Yunque Rain Forest), a United Nations Biosphere Reserve and only tropical rain forest managed by the U.S. Forest Service, helps guarantee this area great natural value and uniqueness.

Whereas, the NEC is currently threatened by the construction of over 1,900 residential and tourist units, two 18-holes golf courses and a 9-holes golf course, as well as related facilities from the development of the San Miguel Resort and the Dos Mares Resort, to be managed by Four Seasons Resorts & Hotels and Marriott International, respectively.

Whereas, the construction of the San Miguel-Four Seasons Resort and the Dos Mares-J.W. Marriott Resort would include the filling of wetlands, canalization of rivers and the clearance of coastal vegetation, significantly impacting the species and other living resources that inhabit on the NEC.

Whereas, the San Miguel-Four Seasons Resort and the Dos Mares-J.W. Marriott Resort would further deplete the limited water supplies needed by local communities, affecting the quality of life of thousands of U.S. citizens in the eastern region of Puerto Rico; in addition to severely limiting citizen's access to public beaches and lands within the NEC.

Whereas, the development of the San Miguel-Four Seasons Resort and the Dos Mares-J.W. Marriott Resort would be contrary to the goals and objectives of the U.S. Clean Water Act, the U.S. Endangered Species Act, the U.S. Coastal Zone Management Act and the U.S. Coastal Barriers and Improvement Act, including several Commonwealth's statutes.

Whereas, the destruction of the NEC's ecology and natural integrity, and the elimination of its common enjoyment for the sole benefit of private interests would be contrary to any principles of environmental justice and sustainable development.

Now, therefore, be it resolved that the Sierra Club's Board of Directors endorses the Sierra Club's new Puerto Rico Chapter in its efforts to achieve the designation of the NEC as a nature reserve, an action proposed since 1978 and supported by the U.S. Fish & Wildlife Service, the University of Puerto Rico—Río Piedras Campus' Department of Biology, the Catholic Church's Dioceses of Caguas, the Governor of Puerto Rico, Sila M. Calderón's Environmental Council, local community and environmental groups and national conservation organizations.

Be it further resolved that the Sierra Club's Board of Directors requests that Four Seasons Resorts & Hotels and Marriott International withdraw any further interest in developing the San Miguel Resort and Dos Mares Resort on the NEC, respectively.

Be it further resolved that the Sierra Club Board of Directors Chapter requests that the Commonwealth of Puerto Rico designate the NEC as a nature reserve, as proposed by the Puerto Rican Department of Natural & Environmental Resources in 1992.

Unanimously passed on Saturday, February 19th, 2005.

PREPARED STATEMENT OF THE NATIONAL COUNCIL FOR SCIENCE AND THE ENVIRONMENT

SUMMARY

The National Council for Science and the Environment (NCSE) urges Congress to appropriate at least \$6.02 billion for the National Science Foundation (NSF) in fiscal year 2007, an increase of \$439 million or 7.9 percent relative to fiscal year 2006. NCSE supports this increase in order to put NSF on the doubling track that is proposed in the President's American Competitiveness Initiative as well as a series of recent bills and reports. NCSE encourages Congress to support a faster rate of growth in order to implement previous recommendations of the National Science Board regarding the importance of expanding NSF's environmental research and education portfolio.

The United States leads the world in scientific discovery and innovation, but we should not take this leadership for granted. The long-term prosperity of the Nation, our quality of life, as well as our national and homeland security require a strong and steady commitment of federal resources to science and technology. Environmental R&D is a critical component of the overall federal investment in research and development. Federal investments in environmental R&D must keep pace with the growing need to improve the scientific basis for environmental decisionmaking.

As a result of the recent reorganization of the Senate Appropriations Committee, the Subcommittee on Commerce, Justice, Science and Related Agencies now has broader jurisdiction over environmental research and education. NCSE commends the subcommittee for its past bipartisan leadership in support of science to improve environmental decisionmaking. The subcommittee has an historic opportunity to address pressing national challenges by appropriating strong and growing funding for environmental research and education at NSF, NOAA, and other science agencies under the subcommittee's expanded jurisdiction.

The National Council for Science and the Environment is dedicated to improving the scientific basis for environmental decisionmaking. We are supported by over 500 organizations, including universities, scientific societies, government associations, businesses and chambers of commerce, and environmental and other civic organizations. NCSE promotes science and its essential role in decisionmaking but does not take positions on environmental issues themselves.

NSF BUDGET REQUEST

The President's budget request would increase funding for the National Science Foundation by \$439 million or 7.9 percent to \$6.02 billion in fiscal year 2007. Even if Congress approves the President's request to increase the NSF budget by 7.9 percent in fiscal year 2007, the NSF budget would still be slightly below the fiscal year 2004 funding level in real dollars (after accounting for inflation). However, NSF funding for R&D (excluding education, training, and overhead costs) would reach a record level in real dollars after falling in fiscal year 2005 and 2006.

The 7.7 percent increase proposed for NSF's Research and Related Activities account would benefit all scientific disciplines. NCSE urges Congress to encourage NSF to provide substantial increases in funding for all fields of science supported by the agency.

NSF's priority area in Biocomplexity in the Environment is being phased out, and fiscal year 2007 is the final year of this highly successful initiative. NSF will continue to support interdisciplinary studies of this type within the structure of its regular programs. After fiscal year 2007, this research portfolio will be referred to as Complexity in Environmental Systems. In fiscal year 2007, funding for Biocomplexity in the Environment will decline to \$42.6 million, a cut of \$40.8 million or 48.9 percent compared to fiscal year 2006. Three primary areas that will be supported in fiscal year 2007 are Carbon and Water in Earth Systems; Dynamics of Coupled Natural and Human Systems; and Materials Use: Science, Engineering and Society. It is anticipated that these three areas will continue as independent programs in the future after the Biocomplexity in the Environment priority area ends in fiscal year 2007, and NCSE encourages Congress to support this plan.

NSF's Major Research Equipment and Facilities Construction (MFEFC) account contains several projects that will advance the environmental sciences. The fiscal year 2007 budget request contains \$12.0 million in the MFEFC account for initial implementation of the National Ecological Observatory Network (NEON) and an additional \$11.9 million in other accounts for NEON concept and development activities. The budget request for NSF's Major Research Equipment and Facilities Construction account also contains \$27.4 million for EarthScope, \$42.9 million for the Scientific Ocean Drilling Vessel, and \$9.1 million for the South Pole Station Modernization project. Two new starts in the MFEFC account are the Alaska Region Research Vessel (\$56.0 million) and the Ocean Observatories Initiative (\$13.5 million), both of which help fulfill the administration's 2004 U.S. Ocean Action Plan, developed in response to the U.S. Commission on Ocean Policy. These projects have the potential to generate scientific breakthroughs and transform the environmental sciences. NCSE urges Congress to provide full funding for all of these initiatives.

Optimism about current proposals to double the NSF budget in 10 years is tempered by the failure of a recent attempt to double the NSF budget in 5 years. The National Science Authorization Act of 2002, which was passed by Congress and signed into law by President Bush, called for a doubling of the NSF budget from fiscal year 2002 to fiscal year 2007. The annual appropriations bills have fallen far short of the doubling path specified in the NSF Authorization Act. The fiscal year 2007 budget request for NSF is nearly \$4 billion below the level authorized in the last doubling initiative. However, the current doubling initiative has been given a high priority in the President's budget request. NCSE urges Congress to appropriate the funds necessary to achieve this goal.

EXPANDING NSF'S ENVIRONMENTAL RESEARCH AND EDUCATION PORTFOLIO

The National Science Foundation plays a crucial role in supporting environmental R&D. Environmental research often requires knowledge and discoveries that reach

across disciplinary and institutional boundaries. NSF recognizes this and encourages multidisciplinary environmental activities across the entire agency, as well as with other federal agencies. NSF has established a “virtual directorate” for Environmental Research and Education (ERE). Through this virtual directorate, NSF coordinates the environmental research and education activities supported by all the directorates and programs.

Although the National Science Board said environmental research and education should be one of NSF’s “highest priorities” (see below), the growth of the ERE budget has lagged behind the growth of the overall NSF budget in recent years. Given that the National Science Board has identified environmental research and education as one of the agency’s highest priorities, funding for the ERE portfolio should grow at least as rapidly as the total NSF budget. In order to achieve the \$1.6 billion funding level recommended by the National Science Board, NCSE supports rapid growth in NSF’s Environmental Research and Education portfolio over the next several years.

NATIONAL SCIENCE BOARD REPORT ON ENVIRONMENTAL SCIENCE AND ENGINEERING

The National Council for Science and the Environment encourages Congress to support full and effective implementation of the 2000 National Science Board (NSB) report, *Environmental Science and Engineering for the 21st Century: The Role of the National Science Foundation*, within the context of doubling the NSF budget.

The National Science Board report sets out an ambitious set of recommendations that could dramatically improve the scientific basis for environmental decision-making. The first keystone recommendation is as follows:

—Environmental research, education, and scientific assessment should be one of NSF’s highest priorities. The current environmental portfolio represents an expenditure of approximately \$600 million per year. In view of the overwhelming importance of, and exciting opportunities for, progress in the environmental arena, and because existing resources are fully and appropriately utilized, new funding will be required. We recommend that support for environmental research, education, and scientific assessment at NSF be increased by an additional \$1 billion, phased in over the next 5 years, to reach an annual expenditure of approximately \$1.6 billion.

The report says that the National Science Board expects NSF to develop budget requests that are consistent with this recommendation. At first, growth in the Environmental Research and Education budget reflected its priority status: from fiscal year 1999 to 2001, the ERE account grew more rapidly than the overall NSF budget. However, the ERE growth rate has trailed the total NSF growth rate since that time. From fiscal year 2002 to fiscal year 2005, the ERE budget grew by approximately 13 percent while the total NSF budget grew by 20 percent. The lagging growth of the Environmental Research and Education budget relative to the total NSF budget in recent years raises serious concerns about its status as one of NSF’s “highest priorities.”

The National Science Board envisioned a 167 percent increase in funding for the ERE portfolio, from approximately \$600 million to \$1.6 billion, within the context of a doubling of the total NSF budget over 5 years. The doubling did not materialize over the past 5 years, but we urge Congress to support implementation of the NSB recommendation as the NSF begins a new doubling initiative. If the Environmental Research and Education portfolio is one of NSF’s highest priorities, then the growth rate of the ERE budget should not lag behind the growth rate of the total NSF budget.

The National Science Foundation has taken many steps to implement the recommendations of the NSB. Full implementation of the NSB report will require strong support from Congress and a significant increase in funding for NSF’s portfolio of environmental science, engineering and education.

PREPARED STATEMENT OF THE NATIONAL CENTER FOR VICTIMS OF CRIME

The National Center for Victims of Crime submits this testimony to urge members of the subcommittee to fully fund the Sexual Assault Services Program (SASP) as part of the Department of Justice appropriations legislation. The SASP, created by the Violence Against Women Act of 2005 (VAWA 2005) and authorized at \$50 million, will provide crucial funding for our Nation’s rape crisis centers and other organizations serving victims of sexual assault, which are currently seriously underfunded and understaffed. This shortage of funds has left many victims of sexual violence—women and men, girls and boys—with no place to turn for help. Funding the

SASP will ensure that all victims will receive the counseling and support they need to recover from the trauma of sexual violence.

The incidence of sexual assault in America remains unconscionably high. Every two-and-a-half minutes a person is sexually assaulted in our country.¹ Sexual violence is a crime that affects people of all backgrounds and ages—children and adults, males and females. Approximately 1 in 6 women and 1 in 33 men in America have experienced an attempted or completed rape as a child or adult.² Nearly 5 percent of college women are sexually assaulted during any given calendar year.³

Sexual assault exacts a heavy cost on individuals, families, and communities. Victims of sexual violence experience higher rates of depression, anxiety disorders, mental illness, addiction, eating disorders, and self-esteem problems than non-victims. Sexual assault victims are also at increased risk for committing suicide or abusing substances. The emotional well-being of the victims' friends and family are also negatively impacted.⁴

Workplaces and communities are also affected when victims suffer. Sexual assault victims face loss of economic productivity through unemployment, underemployment, and absence from work. According to the Centers for Disease Control, 21 percent of victims who have been raped by an intimate partner report losing time from work as a result of their victimization.⁵

The National Center, the leading national resource and advocacy organization for victims of crime, understands well the state of services for victims of sexual violence. Our helpline staff speaks to sexual assault victims every day, and works to connect them to local services. We also hear from rape crisis centers and State sexual assault coalitions across the country who have told us that they are desperately struggling to meet the needs of victims. Many of our members are also system-based service providers, such as victim-witness coordinators in prosecutors' offices and police departments. These agencies rely on rape crisis center staff to support victims through the medical and criminal justice system. They, too, can testify to the impact the shortage of funds has on the ability of rape crisis centers to provide services for every victim that needs them.

THE SERVICES AVAILABLE FOR VICTIMS

Approximately 1,315 rape crisis centers across the country help victims of rape, sexual assault, sexual abuse, and incest rebuild their lives by providing a range of vital services to victims. These centers:

- operate 24-hour hotlines;
- provide 24-hour accompaniment to law enforcement departments, hospitals, and legal proceedings;
- offer short- and long-term individual therapy and support groups for victims and their families;
- perform legal advocacy; and
- assist victims with obtaining compensation and restitution.

Rape crisis centers serve all victims of sexual violence, including women who have been raped, child sexual assault and incest survivors, adult survivors of childhood sexual abuse, male victims, persons with disabilities, and victims who experience abuse in later life. They also provide necessary aid to family members and others affected by sexual violence.

Rape crisis centers often play a vital role in a victim's recovery after the crime. Studies have found that services such as those provided by rape crisis centers can shorten the amount of time a person exhibits symptoms of rape-related posttraumatic stress disorder.⁶ Victims who have the support of an advocate in the emergency room post-assault are more likely to file a police report and less likely

¹ Bureau of Justice Statistics. (2005). *Criminal Victimization in the United States, 2004: Statistical Tables. Table 1*. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice.

² National Violence Against Women Survey, "Prevalence, Incidence, and Consequences of Violence Against Women." November 1998.

³ Fisher et al. (2000). *The Sexual Victimization of College Women*. Washington, DC: National Institute of Justice/Bureau of Justice Statistics, U.S. Department of Justice.

⁴ Seymour, Anne, Kilpatrick, Dean, & Edmunds, Christine. (1992). *Rape In America: A Report to the Nation*. Arlington, VA: National Center for Victims of Crime.

⁵ National Center for Injury Prevention and Control (2003). *Costs of Intimate Partner Violence Against Women in the United States*. Atlanta, Georgia. Centers for Disease Control and Prevention.

⁶ Zorza, J. Ed. (1997). Study finds rape crisis programs do work. *Sexual Assault Report*, 1 (2), 17, 30–31.

to be treated negatively by law enforcement. Victims also reported less distress after contact with the legal system when they had worked with a victim advocate.⁷

SIGNIFICANT GAPS IN SEXUAL ASSAULT SERVICES

While sexual assault programs have made tremendous progress toward assuring that victims of sexual assault receive the services they need, a 2004 survey of the field conducted by the National Center and our colleagues revealed significant gaps in the national response to victims of sexual assault. Our survey found overwhelmingly that sexual assault programs are desperately short of funds to meet the needs of rape victims. Rape crisis centers are suffering in many States where governments facing tight budgets have been forced to cut support to local rape crisis centers. A lack of federal support compounds the problem.

Victim service professionals we interviewed told us about waiting lists for counseling in Illinois, Massachusetts, Pennsylvania, Wisconsin, and other States. At one Utah rape crisis center, victims can be on a waiting list for long-term counseling for 10–12 weeks. One program in Louisiana told us that the waiting period for counseling for a “level one” victim—a recent rape victim who is suicidal—is 5 working days.

In some places, victims are being placed in group counseling to provide them with some form of support while they are waiting for individual counseling. Rape crisis centers report that they have cut the frequency of counseling sessions with victims and hours of hotline operations, two of the most crucial services rape crisis centers provide.

Rape crisis centers are struggling to meet the needs of child victims and their families. An Ohio rape crisis center reported that they provide an advocate to work with families of child victims of sexual violence at the local Child Advocacy Center (CAC). Currently, the rape crisis center can only afford to share her with the CAC 20 hours a week. This means that 10 to 15 families a week will not get any time with the victim advocate. While some needs may be met by the medical and investigative staff, these families are not able to get counseling or advocacy from a person dedicated to their emotional and mental well-being. The rape crisis center director states that the CAC is “begging us for more time but the money is just not there.”

Sexual assault service providers in rural areas across the country are also struggling to serve multiple counties with very little staff. Many States report that rural areas often have no services at all. For example, West Virginia has 9 rape crisis centers that have to cover all 55 counties in the State. Texas has 254 counties: 50 of those counties have no rape crisis services at all. Victims must travel long distances to meet with a counselor or get other assistance. In many places, victims simply cannot make the trip, so they suffer alone. Programs in rural areas need increased funding to help bring victims to programs, send advocates to victims, develop satellite offices in rural areas, or make other innovations to improve access to services.

Rape crisis centers also reported that while their communities include many underserved populations—including racial and ethnic minorities and victims with disabilities—they have no funds to extend their outreach or develop specialized services. In many places, service providers stated that although there are large ethnic and racial populations within their communities, few victims from those populations are accessing services. More funding is required to help programs meet such needs for targeted services.

FUNDING THE SEXUAL ASSAULT SERVICE PROGRAM IN FISCAL YEAR 2007 MUST BE A CONGRESSIONAL PRIORITY

The SASP was enacted as part of VAWA 2005, the reauthorization of the Violence Against Women Act, signed into law on January 6, 2005. SASP created a much-needed funding stream for direct services for sexual assault victims. The act will provide funding for States, territories, and tribes to support their efforts to provide services to adult and minor sexual assault victims and their family and household members. The funds can be used for general intervention, counseling, and advocacy, including accompaniment through medical, criminal justice, and social support systems; support services; and related assistance.

State, territorial, and tribal sexual assault coalitions are also eligible for SASP funding under a specific set-aside. State coalitions provide critical support for rape crisis centers, allowing rape crisis centers to focus on providing direct services to victims. Coalitions develop statewide policies and procedures for all their member

⁷ Campbell, R.C. (2006). *Rape Survivor's Experience with the Legal and Medical Systems. Violence Against Women*. Vol. 12, No. 1, 31–45.

rape crisis centers. Coalition staff develop and disseminate public awareness and prevention materials for statewide distribution. SASP funds can also be used by coalitions to provide training to various organizations, including governments, law enforcement, courts, nonprofit organizations, faith-based organizations, and professionals working in legal services, social services, and health care.

SASP would also address the gap in services to racial and ethnic minorities. Through a funding set-aside, SASP would ensure that culturally-specific community-based organizations are able to craft services for victims that are relevant to their cultural needs. Partnerships with existing organizations will allow for the most effective use of funds.

When Congress authorized SASP, it made a commitment to ensure that supportive counseling and services would be available for victims of sexual assault across the country. By enacting SASP, Congress acknowledged that sexual assault crisis centers and other organizations cannot meet the needs of sexual assault victims without additional resources. The National Center strongly urges the subcommittee to fully fund the SASP so our Nation's rape crisis centers can help all victims rebuild their lives after sexual assault.

PREPARED STATEMENT OF THE SUSTAINABLE DEVELOPMENT INITIATIVE

On behalf on Sustainable Development Initiative (IDS, by its Spanish acronym) I appreciate the opportunity to present this testimony in support of an appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation program for the San Miguel Project in the Commonwealth of Puerto Rico.

IDS is a non-profit organization dedicated to promoting the sustainable development of Puerto Rico's natural resources, especially those within public lands. Our organization is composed of professionals who work as engineers, economists, biologists, lawyers and planners for government agencies and private institutions. IDS members provide assistance to community groups through volunteer consulting services.

Over the past 7 years, IDS has focused its work on the conservation and sustainable development of the Northeastern Ecological Corridor (NEC).

The NEC, comprising approximately 3,200 acres, is one of the Caribbean's last, great, unprotected areas. Located on the eastern corner of the main island of Puerto Rico within the municipalities of Luquillo and Fajardo, the NEC contains an extraordinary array of tropical habitats seldom found in other parts of the world. In addition to coral communities, mangroves, and pre-Columbian forests, all the different varieties of coastal wetlands found throughout Puerto Rico are represented within the NEC. The wetlands in this area are essential to the existence of a seasonal bioluminescent lagoon known as Laguna Aguas Prietas, an extremely rare biological phenomenon.

The NEC's location within the foothills of the El Yunque Caribbean National Forest adds to its great natural value and uniqueness. Originally set aside in 1876 by the Spanish Crown, this United Nations Biosphere Reserve is one of the oldest forest protected areas in the Western Hemisphere, and is the only tropical rain forest in the United States national forest system. The forest contains rare wildlife and is home to over 50 species of birds, including the Puerto Rican parrot—one of the 10 most endangered species of birds in the world. The ecological diversity observed within the NEC and the Caribbean National Rain Forest, varying from a coastal dry forest to a rain forest, lies within a corridor just 13 miles in length. Such an occurrence, in an amazing limited area, is extremely rare in any location around the world and can only be enhanced or protected by the conservation of the NEC.

Available for acquisition in fiscal year 2007 is the 1,277-acre San Miguel property, consisting of three parcels within the NEC. These parcels contain extensive wetland areas contiguous to the Pitahaya, Juan Martín and Sabana rivers, and harbor an array of unique upland and wetland ecosystems. The project site includes some of the last remaining unspoiled dune systems and a significant coral community immediately off shore. Its bird fauna is remarkable and according to the Puerto Rico Department of Natural and Environmental Resources (DNER), it has the one of the highest diversity of birds of any natural protected area in the north region of the island. The property falls within the range of over 40 rare species of flora and fauna, some even unique to Puerto Rico, including 16 federally threatened or endangered listed species, such as the Hawksbill sea turtle, Virgin Island boa, Puerto Rican boa, brown pelican, Puerto Rican plain pigeon, West Indian manatee, and Cobana Negra (a flowering tree). The area is best known, however, as one of the most important nesting grounds for Leatherback sea turtles in the United States and the Caribbean. Over 420 Leatherback sea turtle nests were recorded during the 2005 nesting sea-

son. Due to its ecological value, the NEC has been identified by the DNER, the USDA Forest Service's International Institute of Tropical Forestry and the U.S. Fish and Wildlife Service, as a critical wildlife area of primary importance in Puerto Rico. The NEC also contains a variety of archeological resources, such as historical tools and structures.

At the present time, several multinational lodging corporations have proposed various mega luxury residential-tourist resorts within the NEC. One of the largest proposed developments would be built on the San Miguel tracts at the boundary of the municipalities of Luquillo and Fajardo. The San Miguel Resort would include 1,025 residential units, a 250-room hotel/casino, 175 timeshare units, and two golf courses. The development would involve the filling of wetlands, channelization of rivers, and clearance of coastal vegetation, thus destroying the natural integrity of the NEC. If the San Miguel resort were to be constructed as planned, it would further deplete the limited water supplies needed by local communities, resulting in a deficit of over 4,000,000 gallons of water per day, a deficit which accounts for the water requirements of nearly 25,000 people. There is widespread concern as well about other negative impacts the development would have on this sensitive area, including limited public access to beaches and other coastal resources, and unnecessary exposure of life and property on lands affected by floods and other natural hazards present at the NEC.

Given the ongoing controversy over development of the property, including years of lawsuits, strong public opposition, and permitting difficulties, the owners have decided to make the land available for conservation. Federal agencies, the Commonwealth of Puerto Rico, and private parties have come together in an effort to preserve this remarkable coastal property. Public ownership will preserve the coastal resources, protect the rivers and wetlands, buffer El Yunque Caribbean National Forest, and provide public beach access and recreational opportunities.

Approximately \$25 million will eventually be needed to complete the San Miguel acquisition. If this effort should fail, some form of development would likely occur on this highly sensitive property. The construction of the proposed resort would undermine past and current conservation efforts in an area that has been widely recognized by the Federal and Commonwealth agencies, and private conservation organizations for its unique expression of biological diversity.

A fiscal year 2007 appropriation of \$3 million from NOAA's Coastal and Estuarine Land Conservation Program is needed to further the protection of the San Miguel tracts. These funds will be matched by \$2.27 million in settlement funds from the Barge Berman Oil Spill (specifically for land acquisition), up to \$5.7 million of other oil spill settlement funds (for restoration categories), \$3 million committed by the Conservation Trust of Puerto Rico, and additional funds being raised by a local land trust and other interested private parties. I urge you to include this project in the fiscal year 2007 Commerce, Justice, and Science appropriations bill.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF THE NATIONAL FISH AND WILDLIFE FOUNDATION

Mr. Chairman and members of the subcommittee: I appreciate the opportunity to submit testimony regarding the fiscal year 2007 funding request for the National Fish and Wildlife Foundation. Included in this testimony is a summary of our history and fiscal year 2005 accomplishments, as well as the new and innovative programs we hope to accomplish with the funding provided by this committee.

Congress established the foundation 22 years ago, and since that time the foundation's vision for more healthy and abundant populations of fish, wildlife and plants has flourished through the creation of numerous valuable partnerships. The breadth of our partnerships is highlighted through our active agreements with 14 federal agencies, as well as various corporations, foundations and individual grantees. Through these unique arrangements, we are able to leverage federal funds, bring agencies and industry together and produce tangible, measurable results. Our history of collaboration has given way to programs and initiatives such as the Coral Reef Conservation Fund, the Cook Inlet Beluga Whale Fund, the Chesapeake Bay Small Watershed Grants Program and the Shell Marine Habitat Initiative. With the support of the committee in fiscal year 2007, we can continue to uphold our mission of enriching fish, wildlife and the habitat on which they depend.

In 1999, Congress expanded the foundation's mandate to expressly include the National Oceanic and Atmospheric Administration (NOAA) and its mission. For nearly a decade, NOAA and the foundation have jointly supported projects in marine conservation through public-private partnerships. The foundation respectfully

requests that this Committee fund these efforts at \$4 million through the National Oceanic and Atmospheric Administration.

This request lies well within the authorized levels and will allow the foundation to better meet the demand for new or expanded strategic conservation programs. The appropriations provided by the committee are also used by the foundation to attract additional funding for conservation projects through mitigation, settlements and direct gifts.

Since our inception in 1984 through fiscal year 2005, the foundation has supported over 8,190 grants and leveraged over \$339 million in federal funds for more than \$1 billion in on-the-ground conservation. This has resulted in more than 18 million acres of restored and managed wildlife habitat; new hope for countless species under stress; new models of private land stewardship; and stronger education programs in schools and local communities.

In fiscal year 2005, we were appropriated \$1.7 million (less rescissions) for our general NOAA programs which we were able to leverage with NOAA interest dollars and over \$7.8 million in additional foundation and partner dollars for a total of \$9.8 million in marine conservation. We achieved this leveraging of the federal dollar by cultivating partnerships. In fiscal year 2005, the foundation partnered funds entrusted by this committee with seven other foundations and several private sector corporations including Shell Oil, Southern Company, Bass Pro Co., BP Oil Co. and ConocoPhillips. In a similar manner, the foundation was able to leverage the \$1 million in funds (less rescissions) targeted by this Committee to Tampa Bay habitat restoration through the Pinellas County Environmental Fund by bringing an additional \$1.8 million in funds for an overall fiscal year 2005 conservation value of \$3 million.

Through the fiscal year 2006 Omnibus Bill, we will receive between \$0.7 million—\$1.7 million of our historical \$2.5 million mark for our NOAA partnership and \$1 million of our historical \$1.5 million allocation for the Pinellas County Environmental Fund. Our mark in the NOAA Fisheries line for our overall partnership is still being negotiated. This will be the foundation's second year of drastically reduced funding which is having large impacts on the programs we are able to support.

Although we have not yet received our fiscal year 2006 funds, we have already received over \$4 million in proposals requests through two of the seven competing programs for these dollars. The potential 50 percent reduction in funding, will all but zero out funding for our NOAA General Matching Grants Program, one of NOAA's largest leveraging vehicles and broadest brush for general marine and coastal conservation projects with the foundation. The fiscal year 2006 budget cuts will also result in dramatic cuts to our National Whale Conservation Fund and the International Sea Turtle Conservation Fund, both programs which are making significant impacts to endangered species recovery.

In these times of tightened budgets, we have focused our limited dollars on four of the historical seven Special Grant Programs: the Coral Reef Conservation Fund, the Long Island Sound Futures Fund, the Delaware Estuary Grants Program and the Great Lakes Watershed Restoration Program. Many of these programs were created at the request of NOAA to help focus more funds and attention to key priorities within the agency. The fiscal year 2005 and fiscal year 2006 cuts will obviously impact these programs in the number of projects they can support, and may have additional impacts if NOAA is the main or only partner. For example, the pilot year of the Great Lakes Watershed Restoration Program was so successful that the other agency partners are looking to increase their funding levels; NOAA will not have the ability to increase their contribution and will therefore reduce their role at the table. An even bigger concern may be in the need to have federal monies to leverage the private funds that NOAA has asked us to raise, to grow these special programs. Our fiscal year 2007 appropriations request will put us back on track to continue leveraging scarce federal resources and allow us to achieve increased conservation benefits.

If fully funded in fiscal year 2007, there are a number of new opportunities to continue NOAA's mission in the areas of estuarine and coastal habitat, coral reef conservation and marine species management and recovery:

Restoring Estuarine and Coastal Habitats.—The steady rate of coastal development and damaging up-stream activities are causing our estuarine and coastal habitats to be lost at an alarming rate. The foundation has had tremendous success in countering these problems by partnering NOAA funds with other agencies, like the Environmental Protection Agency, to address these issues from a whole watershed perspective. This is demonstrated in our Chesapeake Bay, Long Island Sound and Delaware Estuary grants programs and has proven so successful that in fiscal year 2005, we expanded our coastal habitat portfolio with a new program in the Great

Lakes. After an extremely successful pilot year, NOAA is interested in continuing to grow this initiative with the other agencies involved, especially since it reaches an underserved portion of their mission. A new program is also being researched for the San Francisco Bay Estuary that should be ready to launch in the coming year, if funds are available. New programs are also uniting around the Upper Mississippi River Basin. This creates an opportunity to partner existing programs like the Foundation's North Gulf Coast Initiative targeting the shores of Mississippi, Alabama, Louisiana and Texas and the Shell Marine Habitat Program along broad-sweeping watershed goals, if funds are provided to expand the marine focus in the overall watershed.

Protecting Coral Reefs.—The foundation was successful in fiscal year 2005 at bringing in new partners in the U.S. Fish and Wildlife Service, the Natural Resources Conservation Service and the Harold K.L. Castle Foundation. We continue to set our sights high, and are building in new evaluation protocols for individual projects and outlining an evaluation of the overall program. The foundation is also actively working with other funders in coral conservation to collaborate on funding priorities to address hot spots and key threats. With increased funding in fiscal year 2007, the foundation would like to expand current partnerships between NOAA and the NRCS to reduce nutrient run-off and sedimentation to coastal reefs and the U.S. FWS to improve the management and effectiveness of existing marine protected areas. Funds are also needed to enhance the foundation's partnership with the White Water to Blue Water Initiative—Anchors Away!—to establish mooring buoy systems for reducing damage to reefs from anchors.

Threatened and Endangered Species Solutions.—Our Special Grant Programs that target endangered species conservation have been the hardest hit by recent budget cuts. With our fiscal year 2007 request the foundation would be able to restore funding to these vital programs in species management, like our work in the southern States to restore sea turtle nesting habitat and our work in New England, Washington and Alaska to research declining right whale, orca and beluga whale populations.

The foundation continues to cultivate partnerships in the private sector to try and offset some of these cuts in our species programs. One of the partnerships that we will be investigating in fiscal year 2006 is a new program with global energy industries to study the impacts of marine noise, particularly in relation to marine mammals. The requested funding levels will allow NOAA, the management agency for this issue, to sit at the table as a funder and provide them with a greater role in determining what research should be funded.

Evaluation.—The foundation has become a leader in evaluation and adaptive management amongst its peers. The foundation's goal is to build the capacity of both itself and its partners to undertake more effective evaluation, to assist in both measuring performance and to adapt methods and funding strategies for more impactful conservation. To address these goals, the foundation is implementing several evaluation strategies simultaneously. First, the foundation has instituted new protocols within its application process to provide the measurable indicators needed to evaluate the impacts of our programs. Second, the foundation has convened discussions amongst our agencies partners to identify and coordinate potential opportunities for collaboration within evaluation. One of the initial results of these meetings has been an interest in piloting new evaluation indicators, to better articulate the federal investment for GPRA and PART requirements.

Third, the foundation has commissioned several third-party evaluations targeting widely-used conservation activities like culvert removal to full program evaluations to learn where we have been successful and where past methods have not provided the desired impact. As an example, in fiscal year 2006, the Foundation's Chesapeake Bay Small Watershed Grants Program will be evaluated for the first 5 years of grant-making. The evaluation will include 355 projects associated with about \$10.6 million in federal funds. The federal legislation accompanying this program included 10-year goals, and this evaluation presents an opportunity to assess the mid-way mark in helping the foundation and its partners better focus their resources over the next 5 years. To capture these evaluations and lessons learned, the foundation is taking a fourth key step by developing a new searchable project website where users will be able to query information and learn more about funded projects, including how to adapt projects for higher rates of success.

Accountability and Grantsmanship.—The foundation constantly strives to improve the grant making process while maintaining a healthy level of oversight. To improve ease of use for potential applicants, foundation applications are now completed and reviewed electronically. In early fiscal year 2006, to further improve efficiency, the foundation released a revised application, grant contract template and reporting form. Even with these efficiencies, the foundation still requires strict financial re-

porting by grantees and has once again received an unqualified audit in fiscal year 2005.

In addition to the evaluation requirements described earlier, all potential grants are subject to a peer review process. This involves five external reviews representing State agencies, federal agencies, affected industry, environmental non-profits and academics. Before being recommended to the foundation's board of directors, grants are also reviewed internally by staff, including our conservation scientists. The internal review process examines the project's conservation need, technical merit, the support of the local community, the variety of partners and the amount of proposed non-federal cost share. The foundation also provides a 30-day notification to the members of Congress for the congressional district and State in which a grant will be funded, prior to making a funding decision.

Basic Facts About the Foundation.—The foundation is governed by a 25-member board of directors, appointed by the Secretary of the Interior and in consultation with the Secretary of Commerce. At the direction of Congress, the board operates on a nonpartisan basis. Directors do not receive any financial compensation for service on the board; in fact, all of our directors make financial contributions to the foundation. It is a diverse board, representing the corporate, philanthropic and conservation communities; all with a tenacious commitment to fish and wildlife conservation. I took over the chairmanship in January, after serving on the board for 10 years. It is an honor to lead such a prestigious board.

The National Fish and Wildlife Foundation continues to be one of, if not the most, cost-effective conservation programs funded in part by the Federal Government. None of our federally appropriated funds are used for lobbying, litigation or the foundation's administrative expenses. By implementing real-world solutions with the private sector while avoiding regulatory or advocacy activity, our approach is more consistent with this Congress' philosophy than ever before. We are confident that the money you appropriate to the foundation will continue to make a difference.

NATIONAL FISH AND WILDLIFE FOUNDATION'S FEDERAL APPROPRIATIONS FOR FISCAL YEAR 2006

[In millions of dollars]

Agency Funding Source	Funding Amount
Natural Resources Conservation Service	2.970
Fish and Wildlife Service	7.656
Washington Salmon	1.971
Atlantic Salmon	0.985
Bureau of Land Management	2.955
Forest Service	2.637
National Oceanic and Atmospheric Administration	1.400
Pinellas County Environmental Fund	0.937

PREPARED STATEMENT OF SAVE BARNEGAT BAY

On behalf on Save Barnegat Bay, I appreciate the opportunity to present this testimony in support of an appropriation of \$1 million from NOAA's Coastal and Estuarine Land Conservation Program for the Potter Creek project in New Jersey.

Save Barnegat Bay is a not-for-profit environmental group working to conserve undeveloped natural land and clean water throughout the Barnegat Bay watershed. We were founded in 1971 as a local chapter of the Izaak Walton League of America, a leading national environmental organization.

Barnegat Bay is a shallow, lagoon-type estuary, characteristic of the back bay system of a barrier island coastline. The 550-square mile Barnegat Bay watershed is located along the central New Jersey coastline and encompasses nearly all of Ocean County and a small portion of Monmouth County. The watershed supports more than 450,000 residents year-round, and many hundred thousands more during the summer tourist season. The Barnegat Bay estuary covers over 42 miles of shoreline from the Point Pleasant Canal to Little Egg Harbor Inlet, and supports a thriving tourist industry. The bay's fisheries represent an invaluable recreational and commercial resource to the region. Although long recognized for its great aesthetic, economic, and recreational value, this back bay system is now threatened by an array of human activities that could damage its ecological integrity. More than 70 percent of the area along Barnegat Bay's estuarine shoreline has been developed or altered, leaving less than 30 percent of the area in its natural state. At the request of the State, Barnegat Bay was recognized as an estuary of national significance threat-

ened by pollution, development, and overuse. It was accepted into the Environmental Protection Agency's National Estuary Program in July 1995, one of 28 such sites nationwide.

Ocean County has been the State's fastest growing county since 1950. While runoff and discharge from power boats contribute to the degradation of Barnegat Bay, the primary threat to the water quality is upland development and associated nonpoint source pollution. Local agencies, civic groups, and nonprofit organizations have long been committed to the protection of the Barnegat Bay watershed. In 1995, The Trust for Public Land published a comprehensive study identifying high-priority conservation and public access sites in the Barnegat Bay. This study, called the Century Plan, has become the "greenprint" for the protection of the watershed for all those committed to a healthy bay ecosystem. Funding from Federal, State, local, and private sources has supported the protection of critical acreage within the Barnegat Bay watershed, but despite these funding commitments, many of these sites still remain unprotected.

Available for acquisition in the Barnegat Bay watershed in fiscal year 2007 is the 100-acre Potters Creek property located in Berkeley Township. Comprised largely of forested wetland and marshland, the tract also possesses 30 acres of developable uplands.

These woodlands contain various species of pine and oak, American holly, and mountain laurel, while the wetlands are comprised of spartina, glasswort, perennial salt marsh aster, and sea pink. These wetlands are believed to support upwards of 82 species of birds, half of which are thought to breed on or near the Potters Creek tract. Some of these species include red-shouldered hawk, northern harrier, and peregrine falcon, all State-listed endangered species. The marbled salamander and four-toed salamander, both State species of special concern, are believed to inhabit the property as well. A total of \$5 million is needed to protect this property. In fiscal year 2006, Congress directed \$500,000 in Coastal and Estuarine Land Conservation Program funds towards this purchase. Berkeley Township has already committed \$1.5 million towards its portion of the purchase.

An appropriation of \$1 million in fiscal year 2007 from NOAA's CELCP program directed to Ocean County will complete the federal commitment to this conservation purchase. The total non-federal match will amount to \$3.5 million. Acquisition of this parcel will preserve open space in a rapidly developing area, further the protection efforts of the Barnegat Bay watershed, and provide an important buffer to already conserved lands. I urge you to include this project in the fiscal year 2007 Commerce, Justice, and Science appropriations bill.

Thank you, Mr. Chairman, for the opportunity to present this testimony and for your consideration of this important request.

PREPARED STATEMENT OF BREAK THE CYCLE

The Violence Against Women Act 2005 (Public Law 109-162), recently unanimously reauthorized by the U.S. Congress, provides funding for proven effective programs and creates new programs to fill gaps in the original legislation. Because the President's budget was completed before VAWA 2005 was passed and signed into law on January 5, 2006, all of the new programs and many of the reauthorized programs which were given an increase in funding are not fully funded in the President's budget.

Break the Cycle is a national non-profit with a mission to engage, educate, and empower youth to build lives and communities free from domestic and dating violence. Founded in 1996 in Los Angeles, California, Break the Cycle has worked to raise awareness among youth and youth service providers about domestic and dating violence. Break the Cycle provides law-based preventative education and free legal services to youth ages 12 to 24. Break the Cycle opened its Washington, DC office in 2004, and has worked with both youth and policy makers to ensure that youth have the necessary resources available to develop healthy relationships and build communities free from violence. Break the Cycle is the only organization of its kind in the country.

Break the Cycle respectfully requests full funding for all VAWA 2005 programs in the fiscal year 2007 budget. Additionally, because of the mission of our organization; to engage, educate and empower youth to end domestic and dating violence, we are especially concerned with the programs directly affecting youth and will address the vital need to fully fund these programs in this testimony.

YOUTH AND DOMESTIC AND DATING VIOLENCE

"At the age of 13, I began dating my first boyfriend. It was a time in my life when I was plagued by all the typical insecurities of entering adolescence, being acutely self-conscious and wanting simply to feel connected to the world . . . It was the closeness of our relationship that allowed me to overlook the times when he would punch me and push me around, the threats to commit suicide if I ever left him, the emotional strain that I felt being with him . . . As more and more time passes, I am learning again to trust myself, to trust others, and to take care of myself. It is at these points in life when I recognize the need for more young girls to be able to have the type of support that I feel I received too late in life . . . girls need to be taught to trust, to be able to confront their abuse, to be able to learn to live without it." Break the Cycle supporter.

The youth of this country are facing a grave situation that is largely ignored by the people who are responsible for helping them grow into healthy adults. Sexual and dating violence occur among youth at rates disproportionate to the rest of the Nation; teens and young women, aged 16 to 24, experience the highest rate of intimate partner violence, almost three times the average for women as a whole.¹ Additionally, the age at which a female is at greatest risk for rape or sexual assault is 14,² and in one study, one quarter of teen girls who have been in a romantic relationship admitted that they had been pressured to perform oral sex or engage in intercourse when they did not want to.³ Yet, domestic violence resources are usually focused on adult women or young children who are victims of abuse.

For youth, who face a unique set of circumstances when dealing with abuse, these resources do not meet their needs. They are in a stage of their lives where they are just learning to navigate the adult world, developing positive and healthy relationships is essential to their success as adults. Victims of teen dating violence are more likely to: use alcohol, tobacco, and cocaine; drive after drinking; engage in unhealthy weight control behaviors; commit sexually risky behaviors including first intercourse before age 15, multiple partnering, and lack of condom use; become pregnant; and commit suicide.⁴ Additionally, youth that witness domestic or dating violence also have higher probabilities of truancy, poor school performance, and trouble concentrating.⁵ These behaviors limit youths' ability to become healthy adults. Young people must be educated and empowered to end the violence in their lives. VAWA 2005 can help stop this cycle of violence where it starts. Congress has taken the first step in recognizing and correcting this problem by unanimously passing VAWA 2005, and including vital new programs for youth. It is critical, for the healthy development of young people, that full funding be provided for all programs unanimously passed by Congress. By educating youth and empowering them to live lives free from violence, we not only improve their current situation, but teach them how to live healthy adult lives. The cost of these programs is a small price to pay for the safety of our youth, and in the long term will cut down on the huge costs of domestic violence that plagues the nation.⁶ It is time to teach young people to confront their abuse, and to learn the skills that will help them create a future without it.

THE PROGRAMS

Services to Advocate for and Respond to Youth (42 USC 14043c; 119 STAT. 3004)

STARY will provide much needed funding to stop the cycle of violence where it is most likely to occur, with youth ages 16 to 24.⁷ Youth face unique challenges when dealing with domestic and dating violence and often do not have access to

¹Department of Justice, Bureau of Justice Statistics, "Intimate Partner Violence and Age of Victim, 1993–1999." NCJ 187635: October 2001, 3.

²Snyder, H.N. (2000). *Sexual assault of young children as reported to law enforcement*. U.S. Department of Justice, Bureau of Justice Statistics (NCJ 182990). Washington, DC.: U.S. Government Printing Office.

³Liz Claiborne Inc. Omnibuzz Topline Findings: Teen Relationship Abuse Research. February 2005.

⁴Jay Silverman, et. al., *Dating Violence Against Adolescent Girls and Associated Substance Use, Unhealthy Weight Control, Sexual Risk Behavior, Pregnancy, and Suicidality*, 286 JAMA, 2001.

⁵Lee, Catherine. Witness of Domestic Violence: The Vulnerable and the Voiceless. <http://www.jrn.columbia.edu/studentwork/children/download/domvio.shtml>.

⁶Intimate partner violence costs the Nation \$5.8 billion annually, including \$4.1 billion in direct health care expenses. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, "Cost of Intimate Partner Violence Against Women in the United States." (2003).

⁷Department of Justice, Bureau of Justice Statistics, "Intimate Partner Violence and Age of Victim, 1993–1999." October 2001.

services to help them. Adolescence is a trying time, often filled with the insecurity and frustration of learning to navigate the adult world, while not quite being an adult. Youth are often untrusting of authority, uninformed on the law, dependent on others for their financial well being, without transportation, and ignorant of the services available to them. Special services and service providers with the skills to deal with these unique challenges are vital to early intervention with youth dating and domestic violence. Because most domestic violence services are targeted at adults, youth are often left without important services and end up falling through the cracks, leaving them to carry these same patterns of violence into adult relationships. These grants focus specifically on services and service providers who can address the needs of youth, filling a gap in current services, and helping youth to build lives free from abuse.

STARY is a new program which we urge Congress to fully fund at it's authorized level of \$15 million in fiscal year 2007.

Access to Justice for Youth (42 USC 14043c-1; 119 STAT. 3005)

The violence perpetrated by youth against youth is a serious problem. However, the legal system in many States does not allow youth victims the same access to justice and safety as it does adults. Youth often slip through the cracks of the justice system because neither adult nor juvenile courts know how to deal with youth perpetrators and victims of domestic and dating violence. This problem must be addressed. Currently, there is only one juvenile domestic violence court in the country. Access to Justice for Youth would provide demonstration grants to allow courts, domestic violence and sexual assault service providers, youth organizations, and law enforcement agencies to work together to create a model system which addresses the needs of youth. Both perpetrators and victims must be treated by the law in a way that allows for safety, dignity, and justice. This funding will give communities the opportunity to work together to create a system that truly meets their needs and provides victims and perpetrators the justice and protection they deserve.

Access to Justice for Youth is a new program which we urge Congress to fully fund at the authorized level of \$5 million for fiscal year 2007.

Supporting Teens Through Education and Protection (STEP Act; 42 USC 14043c-3; 119 STAT. 3010)

Schools have always been envisioned as a safe haven where youth learn and grow into productive citizens. However, violence in schools has shattered this idea, and left many young people afraid of the very place they are sent to grow and mature. Four thousand incidents of rape and sexual assault were reported in public schools across the country in a single year.⁸ This number only includes the number reported, and not the countless cases of rape and sexual assault that go unreported. Additionally, when youth are faced with abusive relationships, most (73 percent) say they would talk about it with a friend.⁹ Unfortunately, the friends in whom they would confide are often uninformed about the rights of youth in abusive relationships, and thus unable to help a friend in need. Young people cannot be expected to mature into productive citizens with this type of violence occurring in the place where they are to be nurtured and taught about healthy adulthood. Schools need effective policies and procedures to address this problem when it occurs among their students and school staff must be taught the warning signs of and resources available for students dealing with domestic and dating violence. The STEP Act allocates funds to educate faculty, develop effective school policies about domestic and dating violence, and provide resources to teach students about the issue and provide appropriate referrals. Fully funding this program will allow schools to work in collaboration with sexual assault and domestic violence providers, police, courts, and other organizations to ensure that schools are the safe and healthy environments necessary to help youth become healthy adults.

The STEP Act is a new program which we urge Congress to fully fund at the authorized level of \$5 million for fiscal year 2007.

⁸U.S. Department of Education, 1997 (The Department of Education no longer reports rapes and sexual assaults in schools as a separate category, but rather includes them with other violent crimes.)

⁹Liz Claiborne Inc. Omnibuzz Topline Findings: Teen Relationship Abuse Research. February 2005.

Grants to Reduce Violent Crimes on Campus (42 USC 14045b; 119 STAT. 3013)

One quarter of female college students are sexually assaulted during their college careers,¹⁰ and 70 percent of sexual assaults reported by college-aged girls are date rapes.¹¹ This pervasive violence must stop, and fully funding Grants to Reduce Violent Crimes on Campus is one way that Congress can help to stop it. Often away from home for the first time and adjusting to new freedoms, college students face unique challenges, especially when it comes to dealing with domestic and sexual violence. Providing this program with full funding allows for prevention, services and training essential to end this type of violence. In the federal fiscal year 2005, 146 applications were submitted to the Office on Violence Against Women, requesting \$32 million for campus programs. The need is great, and Congress can help by providing the full \$12 million authorized by VAWA 2005.

The President's budget requests \$9 million for Campus Grants. We urge Congress to fully fund Campus Grants at the authorized level of \$12 million in fiscal year 2007.

CONCLUSION

Sexual assault and domestic violence are problems that pervade our society. The effects of these problems are far reaching, and especially detrimental to young people navigating the transition from childhood to healthy adulthood. Young people must be taught that domestic violence and sexual assault are unacceptable. Services must be tailored to their needs and they must be educated about the resources available to them. They must be empowered to stop the violence that affects them so profoundly. They deserve the building blocks to create healthy relationships in the future.

Today's teen and young adult victims and perpetrators of domestic violence and sexual assault will be those we deal with in the adult criminal, civil and family justice systems, healthcare system and social services systems tomorrow. We have the opportunity today to invest in our youth to protect them from this violence now and save countless federal dollars later.

Across the Nation, young people are taking a stand against domestic violence and sexual assault. However, the funds to allow for education and services are lacking. Congress has unanimously recognized the importance of this issue by passing VAWA 2005. Now it is time for Congress to act. By fully funding VAWA 2005, and especially STARY, STEP Act, Access to Justice for Youth, and Grants to Reduce Violent Crimes against Women on Campus, Congress can do its part to combat the pervasiveness of domestic and sexual violence. By fully funding these programs, Congress will allow young people the resources necessary to mature into healthy and productive citizens. It is time to protect young people from abuse, and to teach them to build prosperous, healthy, violence-free futures.

PREPARED STATEMENT OF THE NATURAL SCIENCE COLLECTIONS ALLIANCE

The Natural Science Collections Alliance (NSC Alliance) encourages Congress to support the President's fiscal year 2007 budget request of \$6.02 billion for the National Science Foundation.

The administration's budget request reflects the recognition of the important role that fundamental, peer-reviewed scientific research plays in driving innovation, creating new economic opportunities, and addressing important societal challenges.

The National Science Foundation plays an important role in science education, in both formal and informal environments, such as natural history museums, botanical gardens and other science centers. Moreover, through programs such as Research Experience for Undergraduates, GK-12 fellowships, or fellowships for graduate students and post-doctoral researchers, the National Science Foundation provides the resources needed to educate, recruit, and retain our next generation of scientists. National Science Foundation programs provide the support that makes it possible for practicing research scientists and college faculty to mentor and train budding researchers. National Science Foundation science education initiatives are unique and stimulate innovation in teaching and learning about science. The lessons learned and models developed through this research inform Department of Education and local school system programs.

¹⁰ Robin Warshaw, *I Never Called it Rape: The Ms. Report on Recognizing, Righting, and Surviving Date and Acquaintance Rape*, New York: Harper Perennial, 1994.

¹¹ B. Levy, *Dating Violence*, (Seattle: Seal Press, 1991), 9.

Informal science and technology programs supported by the Education and Human Resources Directorate warrant increased funding. Economic growth in the 21st century demands a scientifically aware and technically skilled workforce.

The National Science Foundation Biological Sciences Directorate (BIO) is particularly important to basic biological research, the fields of study concerned with understanding how the natural world works. These research disciplines include botany, zoology, microbiology, ecology, basic molecular and cellular biology, systematics and taxonomy. Indeed, according to National Science Foundation data, more than 65 percent of fundamental biological research is funded by the foundation. Additionally, the National Science Foundation provides essential support for the development of research infrastructure (for example, natural science collections, cyber-infrastructure, field and marine stations, and the National Ecological Observatory Network) that is required to advance our understanding of biological and ecological systems.

The President's fiscal year 2007 budget request would provide the BIO directorate with roughly \$607.8 million (a 5.4 percent increase). This funding would support important new research efforts in the areas of Molecular and Cellular Biosciences (\$111.2 million), Integrative Organismal Biology (\$100.7 million), Environmental Biology (\$109.6 million), Biological Infrastructure (\$85.9 million), and Plant Genome Research (\$101.2 million). The budget also reflects the need for synthesizing biological information from different fields. Thus, \$99.2 million is allocated for the cross discipline Emerging Frontiers program area.

The President's request includes \$24 million in funding for the National Ecological Observatory Network (NEON). Of the requested funding for NEON, \$12 million would come from the Major Research Equipment and Facilities Construction account and \$12 million would come from the BIO directorate. NEON will be the first national ecological measurement and observation system designed both to answer regional to continental scale scientific questions and to have the interdisciplinary participation necessary to achieve credible ecological forecasting and prediction. NEON is expected to transform the way we conduct science by enabling the integration of research and education from natural to human systems, and from genomes to the biosphere. Social scientists and educators have worked with ecologists and physical scientists to plan and design NEON. These research communities will all be able to participate in research only possible because of the construction of NEON.

Thank you for your past efforts on behalf of the National Science Foundation and for your thoughtful consideration of this request. If you require additional information, please contact Robert Gropp at 202-628-1500.

PREPARED STATEMENT OF JAMES CITY COUNTY, VIRGINIA

Dear Mr. Chairman and honorable members of the subcommittee: I appreciate the opportunity to submit testimony in support of an appropriation of \$1.2 million from the Coastal and Estuarine Land Conservation program in fiscal year 2007 for acquisition of two properties at Jamestown totaling 198 acres.

Since English colonists disembarked from their ship on May 14, 1607, naming the river and town for the reigning monarch, James I, the Virginia peninsula has become one of the most historic regions in the United States. It has played a role in many eras of American history including colonial, Revolutionary, and Civil War periods. Today Jamestown is protected by a variety of public and private organizations including the National Park Service, The Association for the Preservation of Virginia Antiquities, and James City County.

In one year's time, America will celebrate the quadricentennial of the landing at Jamestown. A number of events, commemorations, improvements, and enhancements are planned in order to make this celebration a one-of-a-kind event that visitors will not forget.

In order to preserve the site around Jamestown for future events and visitors and protect the important natural and coastal resources that mark the shores of the wide James River, it is critical to protect lands adjacent to the historic sites from development and inconsistent conversion. There is a limited opportunity to acquire two properties adjacent to protected lands at Jamestown, the 112-acre Jamestown Campsites and the 85.5-acre Jamestown Marina.

There are numerous historical and ecological resources on both properties. The campsites property includes 4,600 feet of James River frontage, and the site was part of the Revolutionary War battle of Green Spring. It is also a piece of the Capitol City Bike Trail linking Williamsburg to Richmond. The marina includes over 3,000 feet of shoreline on Powhatan Creek, contains 65 acres of high quality tidal wetlands, and is adjacent to the Colonial Parkway.

In fiscal year 2006, Congress appropriated \$2 million for this project. An additional appropriation of \$1.2 million in fiscal year 2007 will be used to acquire these properties in time for the Jamestown 2007 celebration next year. Federal funding will be matched by over \$9 million from James City County, the Commonwealth of Virginia and private sources.

Thank you, Mr. Chairman, for your consideration of this request and for the opportunity to present this testimony.

PREPARED STATEMENT OF THE ASME TECHNICAL COMMUNITIES' NATIONAL SCIENCE
FOUNDATION TASK FORCE

The ASME Technical Communities' National Science Foundation (NSF) Task Force is pleased to provide comments on the NSF fiscal year 2007 budget request, and supports this year's proposed funding level of \$6.02 billion for the National Science Foundation.

Founded in 1880 as the American Society of Mechanical Engineers, ASME is a worldwide engineering society of over 120,000 members focused on technical, educational and research issues. It conducts one of the world's largest technical publishing operations, holds approximately 30 technical conferences and 200 professional development courses each year, and sets many industry and manufacturing standards.

NSF FISCAL YEAR 2007 BUDGET REQUEST OVERVIEW

The National Science Foundation plays the critical leadership role in directing the Nation's non-defense related scientific and engineering research and education. Now more than ever, the Nation's future in the global economy relies on the quality of the new ideas, the competitive strength of the science and engineering workforce, and the innovative use of new knowledge generated through the research and education enterprise. As such, ASME shares NSF's broad-based, cross-cutting vision for basic engineering and scientific research and education, and strongly endorses NSF and its efforts to promote the crucial fundamental research that engenders new knowledge to meet vital national needs and to improve the quality of life for all Americans.

The total fiscal year 2007 NSF budget request is \$6.02 billion representing a \$439 million or 7.9 percent increase over the current fiscal year 2006 estimate, making the outlook for the NSF budget appear more positive than it has in the last few years. NSF had received a 3.0 percent (\$171 million) cut in fiscal year 2005, so that despite a small increase in fiscal year 2006, i.e. 1.8 percent (\$100 million), the current estimate for fiscal year 2006 is actually 1.25 percent below the fiscal year 2004 budget. The fiscal year 2007 increase benefits from the administration's recent American Competitiveness Initiative (ACI), which calls for a 10-year budget-doubling effort for NSF.

Within this request, the research directorates will receive increases between 5.4 percent and 8.2 percent, after several years of "flat" funding. Funding for the Engineering Directorate (ENG) would increase by 8.2 percent over the current year estimate to \$628.55 million, \$108.88 million of which is requested for the NSF Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs that ENG administers.

For fiscal year 2007, ENG will complete a comprehensive reorganization intended to reflect the multidisciplinary nature of engineering and the complex integration of the sub-disciplines comprising ENG. The new disciplinary-area divisions are: Chemical, Bioengineering, Environmental, and Transport Systems (CBET), \$124.4 million, Civil, Mechanical and Manufacturing Innovation (CMMI), \$152.2 million, and Electrical, Communications and Cyber Systems (ECCS), \$80.9 million. The new crosscutting-area divisions are: Industrial Innovation and Partnerships (IIP), \$120.1 million, Engineering Education and Centers (EEC), \$126.0 million, and Emerging Frontiers in Research and Innovation (EFRI), \$25.0 million. This last division is being created to provide mechanisms to rapidly respond to breakthrough innovations at the interface between divisions and directorates. The other five divisions will compete with each other to receive EFRI funds.

A portion of the ENG budget (allocated from the divisions) will continue to support research and education efforts related to broad, foundation-wide and inter-agency priority areas. Networking and Information Technology R&D (\$11.2 million), Human and Social Dynamics (\$2 million), and Climate Change Science program (\$1 million) are budgeted at the same levels as the fiscal year 2006 estimate. Biocomplexity in the Environment (\$4 million) and Mathematical Sciences (\$1.46 million) are significantly reduced, i.e. by -32.7 percent and -49.3 percent, respectively, under

fiscal year 2006, continuing their phase-downs and transferring into core programs. On the other hand, National Nanotechnology Initiative (\$137 million) and Cyberinfrastructure (\$54 million) investments from ENG increase by 7.2 percent and 3.8 percent, respectively. Additionally, ENG will lead a new \$20 million NSF-wide, interagency effort to support research on sensors, focusing on prediction and detection of explosive materials and related threats. This \$20 million effort represents 42 percent of the proposed 8.2 percent increase for ENG, and is divided evenly between the four ENG divisions of CBET, CMMI, ECCS, and EEC.

THE ASME NSF TASK FORCE POSITION

Affirmation and Endorsement

The ASME NSF Task Force continues its strong endorsement of NSF's leadership role in guiding the Nation's basic research and development activities. NSF has an outstanding record of supporting a broad spectrum of research of the highest quality, from "curiosity-driven" science to focused initiatives. This achievement has been made possible only through strict adherence to the independent peer review process for merit-based awards. ASME recognizes the importance and timeliness of NSF's priority areas that address major national needs for the 21st century.

The fiscal year 2007 budget request and its 7.9 percent increase over the appropriation enacted last year represent an encouraging step forward in the country's commitment to NSF's vital role in fostering the fundamental research that delivers the ideas, knowledge, and innovation to sustain a robust, competitive, and productive Nation. Over three-quarters of the total \$439 million increase for NSF is in the Research and Related Activities Account, which increases by \$334.5 million (7.7 percent) to a total of \$4.67 billion. This investment involves both established and emerging areas that are the wellspring for discoveries that lead to products, process, and services that improve health, wealth, living conditions, environmental quality, and national security.

In this request, NSF continues to emphasize programs aimed at tapping the potential of those underrepresented in the science and engineering workforce—especially minorities, women, and persons with disabilities. Support for these programs will total over \$640 million. Broadening participation in NSF activities also applies to institutions, which ensures that the U.S. reflects a strong capability in science and engineering across all its regions. The fiscal year 2007 request will fund the Experimental Program to Stimulate Competitive Research (EPSCoR) at \$100 million.

In general, the Task Force also supports and commends activities within ENG. NSF's vision of advancing the frontier—by generating ideas, marking out creative paths, and solving fundamental research questions—is epitomized within ENG. It is important to emphasize that it is through such fundamental science and engineering investment by which next generation technologies are spawned. Examples of successes emerging from ENG include the development of a new method to precisely carve arrays of tiny holes only 10 nanometers wide into sheets of gold by applying electric current through a thin film of oil molecules. The process may yield minuscule molecular detection devices, semiconducting connectors, molecular sieves for protein sorting, and nanojets for fuel or drug delivery. ENG has also funded pioneering work to develop a device that enables previously blind individuals to perceive light and patterns. A retinal implant uses an external camera and image-processing unit to send signals through the optic nerve to the brain. ENG's university-based research itself has developed buoys that can harness the motion of the ocean to produce electricity. Each buoy could potentially produce 250kW of power, and the technology can be scaled up or down to suit a variety of energy needs.

NSF leads the U.S. nanotechnology research effort, and ENG is the focal point within NSF for this critical national research endeavor. ASME has strongly supported the National Nanotechnology Initiative (NNI) since its inception as an NSF priority area in fiscal year 2000. By advancing fundamental research and catalyzing synergistic science and engineering research and education in emerging areas of nanoscale science and technology, we push the frontiers of knowledge and innovation, fueling our national economic enterprise. Within the total investment for NNI, ENG will fund approximately 30 new awards on Nanoscale Interdisciplinary Research Teams (NIRT) or NIRT-like projects (\$65 million across NSF).

Finally, ASME continues to endorse NSF's bolstering of K–12 education. In partnership with the Department of Education, NSF will invest \$104 million to strengthen K–12 science, technology, engineering, and mathematics education. Additionally, funding for Graduate Teaching Fellowships in K–12 Education will increase by nearly 10 percent to \$56 million. By pairing graduate students and K–

12 teachers in the classroom, effective partnerships between institutions of higher education and local school districts are established.

Questions and Concerns

Continuing with central themes raised in previous years, ASME's key questions and concerns arising from the fiscal year 2007 budget request center on matters of balance. In particular, ASME is concerned with:

- gross funding imbalance in the federal R&D portfolio,
- inadequate funding levels for existing grants, and
- insufficient funding for core disciplinary research in the ENG portfolio.

Despite the encouraging increase for NSF in fiscal year 2007 as the first installment of the new ACI NSF 10-year budget-doubling effort, the present overall budget request of \$6.02 billion is still far below the \$9.8 billion originally authorized for 2007 as part of the National Science Foundation Authorization Act of 2002 (H.R. 4664). NSF is the only federal agency with a mandate to strengthen the health and vitality of U.S. science and engineering and support fundamental research and education in all scientific and engineering disciplines. Although NSF investments account for only 4 percent of total federal funding for R&D, NSF provides 22 percent of federal support to academic institutions for basic research, which is crucial in non-medical fields and disciplines. Moreover, while NSF does not directly support medical research, its investments directly benefit the medical sciences and related industries, providing the needed advances in diagnosis, regenerative medicine, drug delivery, and the design and manufacturing of pharmaceuticals. Given NSF's essential contribution to the immediate and future welfare, growth, and vitality of our Nation, the ASME NSF Task Force believes strongly that NSF is still severely under funded.

NSF has had considerable success to date in stretching its funds. NSF is one of three agencies that have been recognized as models of excellence in Grants Management. However, this efficiency comes at the expense of quality research. The funding success rate for NSF has dropped dramatically, from 30 percent in the late 1990s to an estimated 20 percent for fiscal year 2006 agency wide. This funding success rate is estimated to be 21 percent for fiscal year 2007—a very modest increase. The number of outstanding, meritorious proposals far exceeds the available funding for new programs. Nevertheless, even maintaining current grant size and duration is not enough. An extended period of constant grant sizes has eroded buying power and the ability to adequately support professional development. The projected average annualized award size for research grants for NSF fiscal year 2007 is \$148,300, for a project duration of 3 years. Moreover, ENG has the lowest estimated funding success rate for research grants of the directorates at 14 percent for fiscal year 2006. ENG has the second lowest average annualized award size and project duration for research grants of the directorates at \$118,000 for a project duration of 2.9 years, as compared to the overall NSF average of \$143,000 for a project duration of 3 years, for estimated fiscal year 2006.

In the current budget, ENG receives the largest percent increase of the Directorates at 8.2 percent (corresponding to the second largest total amount increase at \$47.6 million). However, funding available for core programs comes into question. As noted earlier, the new Sensor initiative constitutes 42 percent of the increase for ENG. In fact, investments in the priority areas and the IIP division, which houses the SBIR/STTR program, constitute 54 percent of the budget request for ENG. The limited funding for unsolicited fundamental research proposals is of great concern, considering that new priority areas and even new disciplines are engendered from such sources. The Task Force does not advocate for the redistribution of monies from priority areas into core areas, but rather significant increases for “unfenced” funds in order to develop creative and novel ideas that feed the comprehensive fundamental Science, Engineering, and Technology knowledge base, which has been a cornerstone of this Nation's greatness.

CLOSURE

ASME supports the administration's request of \$6.02 billion for fiscal year 2007, and enthusiastically applauds the National Science Foundation's leadership in articulating the Nation's basic research and development vision. Because NSF is the only federal agency that supports all fields of science and engineering research, ASME still feels that NSF is severely underfunded. A substantial and steady increase in NSF's budget, by increasing both the number and size of its awards, especially in core disciplinary research and education, will enable NSF to better position itself to fulfill its leadership responsibility in directing the Nation's research and development activities. Thank you for the opportunity to comment on the NSF fiscal year 2007 budget request.

PREPARED STATEMENT OF THE SHOSHONE-BANNOCK TRIBES FORT HALL BUSINESS
COUNCIL

As chairman of the Shoshone-Bannock Tribes of the Fort Hall Reservation, I am pleased to submit written testimony to the subcommittee regarding President Bush's fiscal year 2007 budget for the Department of Justice and its Office of Tribal Justice. The tribes recognize the considerable financial burden which the war in Iraq and Hurricane Katrina relief effort has placed on the Federal Government. We are disheartened and concerned, however, to witness the resulting negative impact those funding priorities have caused to programs enacted for the benefit of federally recognized Indian tribes, especially funding for construction of correctional facilities, police departments, and Tribal courts.

Our physical structures for housing these essential governmental programs and personnel are unsafe, inadequate and are not up to code requirements. They require replacement. With more than one-half million acres of land to patrol and safeguard, we must operate our public safety programs wisely. Congress has documented the deplorable conditions of detention facilities in Indian country. We ask that you act and assist us and other Indian tribes to finance the construction of vital infrastructure for our reservations.

Congress can shore up the Federal Government's on-going trust responsibility by restoring and increasing proposed cuts to successful programs of the Department of Justice, including the Correctional Facilities on Tribal Lands Program, the Tribal Court Assistance Program (TCAP), the Tribal Resources Grant Program, and the Tribal Youth Program. Proposed reorganization of Justice Programs mask program cuts to these and other important Justice Department grant programs.

As Regina Schofield, Assistant Attorney General, Office of Justice Programs, has stated, the needs of Indian Tribal governments to combat crime and violence in Indian country continue to be great. The Justice Department's Office of Justice programs offer a variety of grants to Indian tribes to assist us in our efforts to curb criminal activities, assist victims of crime, and deter future criminals by educating our younger members. But without the physical structures to house our law enforcement personnel, corrections officers and detainees, and Tribal Court personnel in, or the funds required to carry out much-needed programs to assist our adult and juvenile detainees, our capabilities are unnecessarily constrained.

As always, we are appreciative of the work of this subcommittee for your many efforts to improve the quality of life for American Indians. We count on the subcommittee to counter overbroad and harmful budget cuts to programs of the Department of Justice which contribute to the safety of American Indians, who are often the victims of crime.

We request that this subcommittee significantly increase funding for Justice Department programs that assist Indian tribes construct police departments, detention facilities and Tribal Courts. Funding for the Office of Justice programs' Correctional Facilities on Tribal Lands program has dropped off significantly in the last few years. In 2006, we understand that the program will fund new construction for only one structure in Indian country, with the balance of the program's funding (less than \$2.0 million) going to assist only existing correctional facilities located in Indian country bring their structures up to code. The administration has not included funds for this program in fiscal year 2007.

The Fort Hall Business Council of the Shoshone-Bannock Tribes has made infrastructure its priority funding request for the fiscal year 2007 appropriations cycle. Building Phase II of the tribes' Justice Center is among the tribes' top priorities. The tribes have committed \$4.8 million toward construction of the 67,000 square foot Justice Center. Our Justice Center facility has been designed by Lombard Conrad Architects of Boise, Idaho. It will house the tribes' police department, Tribal Courts, and a 100-bed detention center which will have space for 20 juvenile detainees, with "sight and sound" separation. The Tribes require \$6.2 million in Federal grants and loans to finance the second phase of the project, construction of the detention center and the shell for the police department and Tribal Courts.

For too many years, a crisis has persisted regarding the lack of basic infrastructure in Indian country. In good economic times and bad, Indian country lacks adequate roads, safe drinking water, sewers, gas and electric lines, as well as law enforcement officers, Tribal Court personnel, and detention facilities to house our members and generally protect the health and safety of our members, non-Indian reservation residents, and the visiting public. As Tribal governments have grown stronger and more stable over the years, we have witnessed a decrease in federal appropriations just when our needs are greatest and tribal capabilities are at their highest.

Just as the administration and Congress recognize that stable and peaceful governments and nations can only take root when a population's basic human needs are met, the Congress must do the same for Indian country here in the United States.

We ask the Congress—which has the power of the purse and which, together with the Executive Branch, holds a position of trustee as to the Indian nations and Indian people—to restore budget cuts to already under-funded tribal programs of the Department of Justice. The administration's proposed fiscal year 2007 budget does not eliminate government excess. It cuts vital sources of revenue which the Federal Government pays directly to Tribal governments to improve our infrastructure.

Pursuant to the landmark Indian Self-Determination Act, the Shoshone-Bannock Tribes have stepped into the shoes of the Secretary of the Interior to assume her duties and obligations to the tribes and our members. We have contracted law enforcement, Tribal Courts, and detention facility operations. The Fort Hall Police Department is comprised of 34 employees with six divisions (administration, patrol, detention, communications/dispatch, criminal investigations and gang investigations). In recent years our tribal police have been helped by grants from the Department of Justice's COPS program. While we are encouraged by the administration's proposed \$16 million increase to the Tribal COPS program, the administration has cut other important Office of Justice programs which benefit Indian country. If we do not receive adequate funding, we will lose well-trained and qualified personnel. The remaining officers will work in unsuitable conditions.

Our existing structures hamper our ability to promote law and order on the Fort Hall Reservation and curtail violence from spreading off the Reservation. In 2005, the tribes entered into Memoranda of Understanding with city and county governments to facilitate the investigation and response to illegal drug activities in their respective jurisdictions. The tribes are pleased to see Congress taking affirmative measures to curb violence against Indian women. We want to do our part to curtail violence in southeastern Idaho. Our physical plant limitations make it more difficult for us to be strong partners with local law enforcement agencies at a time of growing gang and drug (methamphetamine) violence.

The Tribal Court system handles roughly 4,000 civil and criminal cases each year, in addition to 1,500 juvenile cases. With just a single working courtroom, the tribes face a severe backlog of cases. The courts must delay or dismiss cases that should be tried. The Tribal Police Department needs more space for evidence storage. Detectives and investigators share common workspace, there is no space for interviewing witnesses or informants, and the Patrol Division lacks space to write up reports. With a new structure, our law enforcement capabilities will increase tremendously.

The corrections facility space was not designed as a jail and is not up to code requirements. Just this month a detainee escaped because of the crumbling detention facility. There is no space for medical treatment or education of our tribal detainees. We would like to offer these detainees programs for continuing education (GED) as well as spiritual and culturally-appropriate programs so that they may integrate into society with improved skills. There are no visitor facilities. The layout makes it difficult to prevent visual contact between male and female detainees. There is no "sight and sound" separation of juvenile detainees. Thousands of dollars are expended each year by the tribes to house juvenile detainees in other jurisdiction's detention centers, removing them from family and community and thus increasing the risk that they will become repeat offenders.

We also are required to provide health services to American Indian detainees from other jurisdictions who avail themselves of the Indian Health Service clinic located at Fort Hall. The clinic does not receive reimbursement for the provision of health services to these individuals. If we had a state-of-the-art Tribal Justice Center, with a 100-bed detention center, we could house these American Indian detainees and provide them with the services they require and receive adequate compensation from other jurisdictions.

The Fort Hall Business Council decided in 2006 to divide construction of the fully designed Justice Center into phased construction to spread out the estimated \$17.9 million construction costs. The tribes are also exploring the feasibility of accessing private, low-interest loans to build the Justice Center.

The 100-bed detention center will have 80 adult beds and 20 juvenile beds. Excess space will be leased out to accommodate surrounding jurisdictions' American Indian adult and juvenile detainees. Leasing available bed space will provide the tribes with additional revenues to fund the operation and maintenance costs, as well as the salaries of the Justice Center detention program, thus lowering the annual operating cost of maintaining a state-of-the-art facility. BIA Office of Law Enforcement

Services officials have also stated that the U.S. Bureau of Prisons needs detention space which comply with Federal standards for its American Indian detainees.

The tribes subsidized their Indian Self-Determination Act Law Enforcement and Tribal Courts contracts with the BIA in 2004 in the amount of \$1.6 million. The tribes subsidized Indian Health Service operations with a \$3.9 million annual health insurance program for Tribal employees, permitting the IHS to bill third-party health insurers to fund their operations, as well as providing tribal revenues to shore up health programs vital to the reservation community. These funds could have been used for construction of our Justice Center. The tribes require Federal assistance to build the Justice Center so that its criminal justice programs may operate at their full potential.

The budgets of the Justice Department's Correctional Facilities on Indian Lands program, and similar programs funding construction of infrastructure in Indian country must be increased in fiscal year 2007 if we are to access the capital required to complete Phase II. State and local government officials support our Justice Center.

The Shoshone-Bannock Tribes' Police Department, corrections officers, and Tribal Court personnel keep us safe. They protect our families and communities. They save lives. In the wake of 9/11, Americans truly appreciated the sacrifice of the Nation's first responders; they put their lives on the line every day. Congress has recognized how important it is to build infrastructure on Indian reservations—law enforcement, Tribal courts, schools, health centers, roads, water and sewer systems, and utilities—if tribal communities are to attract and retain business, promote economic development, and maintain law and order in predominantly rural Indian communities. Reservations boundaries are porous and are becoming more so every day.

Thank you for affording the Shoshone-Bannock Tribes the opportunity to make known our comments regarding the President's budget proposal for the Justice Department and our needs for fiscal year 2007.

PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

Mr. Chairman, my name is Herman Dillon, Sr., Puyallup Tribal Chairman. We thank the committee for past support of many tribal issues and in your interest today. We share our concerns and request assistance in reaching objectives of significance to the Congress, the Tribe, and to 32,000+ Indians (constituents) in our Urban Service Area.

U.S. Department of Justice—Office of Tribal Justice—The Puyallup Tribe has analyzed the President's fiscal year 2007 budget and submit the following detailed written testimony to the Senate Subcommittee on the Commerce, Justice, State, the Judiciary and Related Agencies. In the fiscal year 2006 budget process, the Puyallup Tribe supported actions of Congress to restore the base level funding for various law enforcement and public safety programs. We look forward to working with the 109th Congress to insure that funding levels for programs necessary for the Puyallup Tribe to carry-out our sovereign responsibility of self-determination and self-governance for the benefit of Puyallup Tribal members and the members from approximately 435 federally recognized tribes who utilize our services are included in the fiscal year 2007 budget. The following provides a brief review of the Puyallup Tribe's priorities and special appropriation requests for fiscal year 2007:

Puyallup Nation Law Enforcement.—The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation and related urban service area contains 17,000+ Native Americans from over 435 tribes and Alaskan villages. The Puyallup Nation Law Enforcement Division currently has 26 commissioned officers to cover 40 square miles of reservation in addition to the usual and accustomed areas. The officers are charged with the service and protection of the Puyallup Reservation 7 days a week, 24 hours a day. We currently operate with limited equipment, patrol vehicles requiring constant repair and insufficient staff levels. With the continuing increase in population, increase in gang related activities on the Puyallup Reservation and the impact of the increase in manufacturing of meth amphetamines in the region, the services of the Puyallup Nation Law Enforcement Division are exceeding maximum levels.

A major area of concern is the status of the Tribes Regional Detention Facility. Due to damages from the February 2001 Nisqually earthquake, we have had to relocate to modular/temporary facilities. As a regional detention facility, the relocation to the modular facility not only impacts the tribe's ability to house detainee's but also the approximately 173 native inmates that were incarcerated at the Puyallup Incarceration facility during the period of 2001–2002. Relocation to the modular facility has also impacted the tribes ability to house juvenile detainees. With no juve-

nile facilities, Native American youth are sent to non-native facilities. The President's budget request provides zero funding for the construction of tribal detention facilities in fiscal year 2007. Indian country will be negatively impacted by the proposed elimination of funding for tribal detention facilities. The total estimated backlog is approximately \$400 million. In fiscal year 2006, \$5 million was provided to construct tribal detention facilities. We respectfully request congressional support:

- Fund the Department of Justice—Detention Facilities Construction program for fiscal year 2007 at a minimum of \$30 million for new construction.

- Support from the subcommittee on the tribes request for funding to design and construct an Adult & Juvenile Detention Facility on the Puyallup Reservation, in the amount of \$6.5 million.

Tribal Court System.—The Tribal Court system is an independent branch of the Puyallup Tribal Government having jurisdiction over 17,000+ Indians within our service area. Jurisdiction extends throughout our 18,061 acre reservation and our U&A Grounds for Hunting and Fishing. Partial court funding is provided via a Public Law 93–638 Contract; the funding level has varied little during the past 5 years covering only costs of supplies, expenses and partial funding of the Court Administrator's salary. Compensation costs for the Judge, Prosecutor, Public Defender, Children's Court Counselor and Clerical are at best, intermittent. Current levels of federal support are grossly inadequate thereby effectively denying access to equal justice.

Operations of a Tribal Court system with jurisdiction over the 3,200+ tribal members and the 17,000+ Indians is extremely costly. Sufficient funding is needed for the salaries of the Court Administrator, Judge, Prosecutor, Public Defender, Children's Court Counselor and Clerical. Our needs to provide juvenile services and multi disciplinary investigations of child abuse and domestic violence abuse is critical. The Tribal Court System lacks the basic resources most court systems take for granted, such as; the Federal Digest, the Federal Rules decisions, Washington State Reporters and access to the Lexus Data Base. A frame work is in place for an adequate court system, however we lack sufficient funding due to competing demands/priorities we cannot provide funding to other departments—some of which attempt timely intervention strategies to lessen court involvement. We have provided supplementary support to the court system for the past 8 years. With the projected increase demand on the court system services, it is anticipated that this shortfall will increase over the next 5 years. We seek congressional support and endorsement in:

- Request subcommittee support to fund the Office of Tribal Justice—Tribal Court System at no less than \$8 million for fiscal year 2007.

Community Oriented Policing Services (COPS).—The President's budget request proposes to fund the COPS for Indian Country at \$31 million for fiscal year 2007. This represents an overall reduction in funding of 33 percent from the fiscal year 2006 enacted level. This takes into consideration the administration proposal to eliminate the Tribal Court Assistance, Indian Alcohol and Substance Abuse, and Tribal Youth programs, and have those programs funded instead through the COPS program. As stated in the U.S. Senate Committee on Indian Affairs letter to Committee on the Budget, this action could "subject these important programs to the COPS program's 3-year non-reoccurring funding scheme." This program provides an essential service to the public safety and welfare in Indian Country and assist tribal efforts to increase the number of law enforcement officers. Today, there are 1.3 law enforcement officers per 1,000 citizens in Indian county, compared to 2.9 law enforcement officers per 1,000 citizens in non-Indian communities.

The demand on law enforcement services will increase as Tribal governments continue to enhance civil and criminal justice administration and as Tribal governments play an integral role in securing America's borders, citizens and physical infrastructure. This demand is further impacted by the existing and growing "gang problem" within the boundaries of the Puyallup Reservation. These gangs are different than other reservations due to our urban setting (Puget Sound region of the State of Washington), five other city boundaries next to our exterior boundaries, six separate local jurisdictions and Interstate 5 traversing through the reservation. In an effort to combat these gang activities, the Puyallup Tribal council created a Gang Task Force from the Tribal Police Department, representatives from various tribal services divisions and community members. The Gang Task Force developed a gang policy that includes a four prong approach to gang related activities. They are: enforcement; intelligence; education; and physical-mental health. These programs are currently being implemented or being designed for use with supplies and staff being provided by the tribe. What is needed to move forward is funding in each pronged approach. Enforcement with additional officers, continued training, equipment and adequate detention facilities for adults and juveniles. Intelligence with equipment, computer software programs and staffing. Education with computer software pro-

grams, equipment and staffing. Physical-mental assistance with funding, equipment and staffing for support of family services and Tribal Health Authority. We seek congressional support and endorsement:

- Request subcommittee support to fund the Office of Tribal Justice—COPS at \$31 million for fiscal year 2007.
- Request subcommittee support in funding the Indian alcohol and Substance Abuse Demonstration program at no less than \$5 million for fiscal year 2007.
- Request subcommittee support in funding the Tribal Youth Program at no less than \$10 million for fiscal year 2007.
- Request subcommittee support in funding the “Meth Hot Spots” program to fund cleanup of meth labs at no less than \$40 million for fiscal year 2007 and request that the subcommittee issue directive language to the Department of Justice to include this amount in their fiscal year 2008 budget.
- Request subcommittee support in funding programs authorized under the Violence Against Women Act (VAWA), restore funding for these programs at \$387 million for fiscal year 2007 and request the subcommittee to issue directive language to the Department of Justice to include this amount in their fiscal year 2008 budget.

PREPARED STATEMENT OF THE CITY OF WEBSTER, TEXAS

Mr. Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of an appropriation of \$1.54 million from the Coastal and Estuarine Land Conservation Program for the Clear Creek Park project in Webster, Texas.

Five miles south of NASA's mission control center at the Johnson Space Center, Clear Creek meanders by the City of Webster in Harris County. Flowing eastward from its source near Missouri City, Clear Creek is a tributary of the Galveston Bay estuary. As the creek nears the shores of Galveston Bay, a rich coastal ecosystem develops featuring coastal prairie, marshes, wetlands, migratory bird habitat, and riparian forests. Several parks along the corridor in both Harris and Galveston counties provide residents and visitors with opportunities for recreation, outdoor education, and other open space activities.

Webster lies at the lower end of the Clear Creek watershed and is home to diverse communities of ecologically important coastal habitats and systems. Riparian forests of willow oaks, water oaks, and cedar elms provide habitat for amphibians, owls, hawks, neotropical migrant birds, and the reddish egret, a State listed threatened bird species. Along the creek banks are several areas of coastal prairie. As less than 1 percent of North American grassland prairie remains, it is critical to protect and restore remaining native prairie lands. Near Clear Lake and the entrance to Galveston Bay, marshes, wetlands, and embayments support fish, waterfowl, and migrant birds. The bay was recognized in 1988 as an estuary of national importance in the National Estuary Program, and it is one of 28 such monitored estuaries in the Nation. The comprehensive management plan of the Galveston Bay Estuary program identified wetlands habitat loss and degradation as a priority problem in the estuarine system.

The Clear Creek corridor offers the potential for significant recreational opportunities for residents and visitors. Several parks operated by local governments extend along the creek, including Harris County's Challenger Seven Memorial Park, Galveston County's Walker Hall Park, and League City's Erikson Tract and Clear Creek Nature Park. In order to enlarge and further link this important corridor of parks and reserves, the City of Webster has proposed the acquisition of approximately 270 acres along the northern banks of the creek for a new Clear Creek Park.

Within the planned park area, the City of Webster envisions building a trail along Clear Creek for hiking and biking. The trail will also feature access to launch sites on the creek for canoeing and kayaking, small piers for fishing, observation points and decks for bird watching, and picnic areas for families. The multiple opportunities along the trail are expected to accommodate and contribute to outdoors and environmental education. The opening of a trail would also advance the Galveston Bay Estuary Program's goal of increasing public access to Galveston Bay and its tributaries.

Identified for acquisition with fiscal year 2007 funds are approximately 175 acres within the proposed Clear Creek Park boundaries, nearly 65 percent of the total planned park acreage. Once acquired, the City of Webster will own and maintain the property as a public park and conservation area. Purchase of this property is critical to the protection of habitat and recreational open space along Clear Creek, one of the few remaining unchannelized stream and river corridors in the Houston

metropolitan area. Development is currently the largest threat to habitat in the Galveston Bay estuary, and some parcels within the park area have already been sold. If additional tracts in the proposed Clear Creek Park area are developed, the creek's floodway would be degraded by loss of wetlands and increase in runoff pollutants.

The total value of this property is \$3.08 million. In order to complete its purchase, an appropriation of \$1.54 million from the Coastal and Estuarine Land Conservation program is needed in fiscal year 2007. Clear Creek Park will protect critical coastal land and provide multiple recreational possibilities to residents of Webster and other nearby communities.

Thank you, Mr. Chairman, for the opportunity to present this testimony in support of the appropriation for Clear Creek Park and for your consideration of the request.

PREPARED STATEMENT OF SANTA BARBARA COUNTY, CALIFORNIA

Mr. Chairman and Honorable Members of the subcommittee: I appreciate the opportunity to present this testimony in support of an appropriation of \$1 million from NOAA's Coastal and Estuarine Land Conservation program for Gaviota State Park.

Located in western Santa Barbara County between Coal Oil Point and Point Sal, approximately 100 miles north of Los Angeles, the Gaviota Coast lies between the Channel Islands National Marine Sanctuary and the Los Padres National Forest. Offering a wide variety of natural, recreational and agricultural resources, it is a high priority area for conservation and is southern California's largest remaining stretch of pristine coastline. This remarkable 80-mile landscape represents only 15 percent of the Southern California coast, but it contains about 50 percent of its remaining undeveloped land.

With the constant threat of urban sprawl and development, many Californians have taken an active part in preserving Gaviota's agricultural heritage and natural resources. The area is one of only five places in the world with a Mediterranean climate and associated vegetation, and it has a history of agricultural use. The topography of the area varies from rocky and narrow beaches to chaparral covered mountain slopes. There is also a variety of grassland, shrubland, and woodland habitat, with scattered vernal pool communities, estuaries, and native grasslands.

With a vast array of habitat, the Gaviota Coast is home to many species of marine and terrestrial wildlife. Marine animals found along the coast include dolphin, gray whale, the endangered Guadalupe fur seal, and steelhead trout. Terrestrial wildlife includes mountain lion, mule deer, golden eagle, and endangered species such as the California condor, brown pelican, and marbled murrelet.

Available for acquisition in fiscal year 2007, the Gaviota State Park Addition project is a 43-acre site adjacent to Gaviota State Park. This popular park unit serves 86,000 visitors annually and the addition of the subject property would enable California State Parks to expand the existing trail system, develop new trailheads, provide trailhead serving facilities for the park's many visitors and develop much-needed campgrounds. The expansion of Gaviota State Park is a top priority for State Parks and for Santa Barbara County.

Immediately adjacent to Highway 101, this 43-acre property is zoned for commercial use. Commercial land uses in these coastal foothills are incompatible with county and State efforts to prevent inappropriate development and protect critical natural, scenic, and recreational resources. Acquiring lands adjacent to the park will protect these streams from the degradation that would occur from development-related pollution.

Because of its location among other protected properties and agricultural lands, this project is part of a larger effort to piece together up to 10,000 contiguous acres of protected coastal wildlands and open space from the mountains to the sea, including the Los Padres National Forest and lands owned and managed by the local Land Trust for Santa Barbara County. The subject property is the linchpin for this larger assemblage, as it is the only property with commercial zoning on a 35-mile stretch of the Gaviota Coast. The total cost of the project is \$2.5 million, with State and local sources providing the matching funds.

An fiscal year 2007 appropriation of \$1 million from NOAA's Coastal and Estuarine Land Conservation program is needed to acquire and protect this 43-acre property. If added to Gaviota State Park, it will expand recreational opportunities, provide much needed visitor facilities, protect scenic viewshed and conserve important wildlife habitat.

Thank you, Mr. Chairman for the opportunity to present this testimony and for your consideration of the request for an appropriation of \$1 million for Gaviota State Park.